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A PAGE OF DEDICATION

TO HONOR

ALFRED M. COBURN

ADMINISTRATIVE ASSISTANT

for the

BOARD OF SELECTMEN

In Recognition

of the dedicated and faithful service to

THE TOWN OF CHELMSFORD

and to

the various BOARDS OF SELECTMEN for a

period of TWENTY-FIVE YEARS commencing

June 1st, 1947

to

August 31st, 1972

This tribute acknowledged by unanimous vote of the BOARD OF SELECTMEN at their regular meeting of August 7th, 1972 in grateful appreciation.

Mr. Markham then asked that a letter be sent from the Board to the Charter Commission regarding the establishing of a separate licensing authority for the town of Chelmsford; separte from the Board of Selectmen, in their forthcoming charter. Mr. Doody seconded the motion made by Mr. Markham. Mr. Hart said he would be in favor of a separate licensing authority, as long as the letter specificed that the Board is not unanimously in favor of a separate licensing authority. Mr. Lannan was opposed to this motion stating that he would not interfere with the Charter Commission nor that did they have any business in this matter. Mr. Lannan felt that Town Counsel's opinion was sufficient. A vote was taken with Mr. Hart, Mr. Markham and Mr. Doody in favor and Mr. Lannan opposing. The vote stood at 3 for and 1 against.

Letter to be sent to Charter Comm. re: separating Bd. of Sel. and Licensing Bd.

Mr. Markham stated that he would like Mr. Rondeau informed of a flooding problem at the property of Edward F. McNulty at 26 Brick Kiln Road, East Chelmsford, Mass, and that it being a town problem that Mr. Rondeau plan to correct this problem. Also Mr. Markham requested that Mr. Rondeau send a written report to the Selectmen pertaining to the projects he planned to complete this year, and the projects that are to be postponed due to the cost of the recent tornado. Mr. Hart made a motion in favor of this, seconded by Mr. Doody.

Flooding at McNulty land: Highway Supt. list all projects to be done.

The minutes of July 24th, 1972 were accepted with a motion by Mr. Hart, seconded by Mr. Doody. The minutes of July 25th, 1972, were accepted with a motion by Mr. Hart, Seconded by Mr. Doody. The minutes of August 7th, 1972, and August 10th, 1972, were requested by the members to be held, and not voted on at this meeting.

Minutes approved

Mr. Lannan then made a motion to adjourn, seconded by Mr. Hart, voted unanimously by the members. The meeting then adjourned at 10:55 P.M.

For the Board of Selectmen
by: Joan E. Biggar

Names of jurors chosen by Mr. Gerald J. Lannan on August 29th, 1972.

1. Diane Joyner, 55 Riverneck Road, East Chelmsford, Mass.
   (For Lowell Superior Court)
2. William F. Brothers, 17 Wilson Street, Chelmsford, Mass.
   (For Cambridge Superior Court)
3. Edward E. O'Brien, 25 Priscilla Avenue, Chelmsford, Mass.
   (For Cambridge Superior Court)

Jurors chosen

Regular Meeting of the Board of Selectmen: held September 6th, 1972: 7:30 P.M.

Members present were: Mr. Lannan, Chairman, Mr. Hart, Mr. Humphrey, Mr. Doody, and Mr. Markham. Mr. Lannan presided.

Members present

Reporters present were: Mr. Gus Webster of the Lowell Sun: Mrs. Ann Marie Kierce of the Chelmsford Newsweekly: Mr. Jerry House of the Chelmsford Sentinel.

Reporters present

At 7:45 P.M., Mr. Knut Berge of Moss Norway, presented Mr. Lannan with a plaque from the Mayor of Moss Norway. Mr. Berge is an exchange student, and is staying with Mr. and Mrs. Duane Meyer of 5 Clover Hill Drive. Photographers from the Newsweekly and Sentinel were present to take a picture of the presentation. Mr. Lannan then asked that the Custodian be asked to hang the plaque in the Selectmen's Office, upstairs.

Presentation of plaque from Moss, Norway.

The Selectmen then announced that by unanimous vote, Mrs. Evelyn M. Haines of 130 Treble Cove Road, Billerica, Mass. has been appointed the new Administrative Assistant for the Board of Selectmen. Mr. Lannan said that

Appointment of new Adm. Assist. for Bd. of Sel.

Mrs. Haines had been called and she has accepted the appointment, and will start her position on September 18th, 1972. Mr. Lannan then asked that letters to the other applicants that had applied for the position, be sent informing them of the appointment, and thank them for applying for the position.

Minutes of 8/7, 8/10 accepted. 8/21 held.

The minutes of the meeting of the board on August 7th, 1972, were accepted by Mr. Hart, seconded by Mr. Humphrey; the minutes of the meeting of August 10th, 1972 were accepted by Mr. Hart, seconded by Mr. Doody. The minutes for the meeting of August 21st, are being held for further study.

Application for Junk dealer's license by Larson's Auto. Svce.

An application was received from Mr. Toure F. Larson of 229 Old Westford Road for a junk dealers license for Larson's Automotive Service, to be located at 9 Butterfield Street, North Chelmsford. Mr. Lannan suggested that an appointment be made to have Mr. Larson meet with the Selectmen to discuss his application for license.

Letter from Town Counsel re: hearing of ABC re: Wooster & Harrington Licenses.

A letter was then read from Atty.Clement McCarthy regarding the August 1st, 1972 hearing before the Alcoholic Beverages Commission regarding the application of Wooster for a liquor license and the Harrington re-location of a package store. Mr. McCarthy stated in his letter that Mr. Wooster had notified the Commission that he was withdrawing his appeal. Mr. Harrington's transfer was the only matter left. The Commission was informed that one of the Board members who had previously voted against the Harrington transfer, indicated that he would reconsider his vote if he received certain assurances from the applicants. It was stated that a new application should be filed, advertised, and a new hearing held, instead of re-opening the previous hearing, taking a vote and acting in accordance with the new vote. A letter had been sent to the Woosters sometime ago asking them if their intention was to re-apply for a liquor license in April of 1973. As of this meeting, there has not been a reply to the Selectmen's letter.

Bd. of Appeals reg. member chosen.

A letter was received and read by Mr. Lannan, from Mr. Timothy D. Sullivan, stating he was interested in filling the vacancy on the Board of Appeals. After the letter was read, Mr. Humphrey made the announcement that he would make a motion to have Robert Kydd, be appointed as a regular instead of as an alternate which he is at the present time. Mr. Hart seconded the motion, and it was so voted to appoint Mr. Kydd to a regular member. Mr. Humphrey then asked that a file be prepared of all people that have applied for the position, and have the board review them, then choose an alternate for the Board of Appeals.

Home Rule Adv. Comm. to schedule mtg. with dept. heads to discuss new law.

A letter was read from Mr. William R. Murphy, Chairman of the Home Rule Advisory Committee regarding the New Municipal Fiscal Cycle Law, Chapter 849 of the Acts of 1969 as amended by Chapter 766 of the Acts of 1971. Mr. Lannan requested that a meeting with all Department Heads should be scheduled to discuss this new law. Mr Humphrey stated that the first meeting will be held in Newton on September 27th, 1972, and that the Adm. Assist. be advised to attend this meeting during the day session. All members agreed with this, and it was advised that a letter be forwarded to Mr. Murphy, authorizing him to schedule a meeting with all department heads to discuss this law.

Dog Complaint: was removed from neighborhood, but is now back: hearing now necessary.

A letter was then read from Mr. and Mrs. Victor Lee of 3 Longmeadow Road, stating that the dog Rufus had been removed from the premises of Mrs. Barbara Dawson, but it now appears that the dog is back at Mrs. Dawson's home on 5 Longmeadow Road. A letter from the Dog Office was then read stating that the hearing that had been cancelled regarding the dog, should now be rescheduled, as the dog is back in the neighborhood. An earlier report from the Dog Officer stated that Mr. Robert Auger of the Police Dept. had removed the dog from the premises of Mrs. Dawson, and that a hearing at that time was not needed. Mr. Humphrey made a motion that the hearing be rescheduled, seconded by Mr. Hart.

At 8:20 P.M. a conference was held with Mrs. Kathleen Dowd of 10 Temi Road, and her attorney Leo M. Cannon, regarding a complaint of trailers in the vicinity of Mrs. Dowd's home. Mr. Cannon told the board that when Campanelli Builders first built Chelmsford Farms I they created apolicy that no structure, trailer, tent, barn,or shack shall be used on any lot for living quarters. Mrs. Dowd stated that a Mr. Gilroy of 14 Temi Road has a house trailer on his property with Florida license plates. Mrs. Dowd said she has contacted the Police, and wrote two letters to the Building Inspector with no answer to her letters. Mr. Cannan stated that at the corner of Temi Road and Parlee, another trailer is situated, but this one has people living init. He stated that he wants something done about this for it is degrading Mrs. Dowd's property. Mr. Humphrey stated that the Board of Selectmen could take little action in this matter, that if was a situation directed to the Building Inspector to inspect and make his own determination. The Building Inspector is the legal enforcing agent in this matter, and any action should be taken by the Building Inspector. Mr. Cannon then went on to say that having these trailers is against the zoning by-laws. Mr. Lannan stated that this matter will be under investigation and that the decision will then be made by the Selectmen. As of now the Selectmen could not make the decision until further checked and investigated by the Building Inspector. Mr. Humphrey then stated that a thirty day permit could have been issued from the Police Department, and that such permits could be renewed upon request. Mr. Lannan told Mrs. Dowd and Mr. Cannan that as soon as the board received a report on this situation both will be notified, and if they are still not satisfied, then they are welcome to come before the Board. The board concurred with this request. Mrs. Dowd and Mr. Cannon thanked the board for their time.

Conference with Mrs. Dowd of Temi Rd, and Atty. Cannon re: trailers on property in the area.

Dog hearing not required re: Mr. Kehoe dogs and the complaint of Mr. Trivers.

A letter was read from the Dog Officer, Frank Wojtas regarding Mr. Kehoe's dogs. Mr. Wojtas states the dogs are not vicious and not out of Mr. Kehoe's yard. A hearing previous to receipt of Mr. Wojtas letter had been cancelled for Mr. Kehoe and Mr. Trivers who had registered the complaint had come to a verbal agreement, thus not requiring a hearing.

A letter of resignation was read which was received from Stephen W. Grunewald, the Town Planner, to become effective September 8th, 1972. The position is unable to be filled for funds have not been appropriated. Mr. Lannan asked that a letter of appreciation be sent to Mr. Grunewald, for his work done to help the town. Mr. Markham stated Mr. Grunewald should be complimented for all his work and he did an excellent job. Mr. Lannan agreed with Mr. Lannan. Mr. Markham made a motion that this letter be sent to Mr. Grunewald seconded by Mr. Hart.

Resignation of Town Planner S.W.Grunewald

An application was received from Raymond Carye of 26 Worthen Street, Chelmsford requesting a license for use of land at KSC Way, Chelmsford for the storage of 49,000 cubic feet of hydrogen, all above ground, for use by Manufacturing of Electronic Components. A letter was received from the Fire Chief Reid, giving his approval of this application. Mr. Lannan asked the board if they would like to have Mr. Carye come before them and speak with him. Mr. Humphrey made a motion, seconded by Mr. Hart to have a hearing date set for Monday September 25th, 1972 at 8:00. It was suggested also that a letter be forwarded to the Fire Chief asking him to be present at this hearing.

Application from Raymond Carye for storage of hydrogen.

A letter was received and read from Mr. George Hedrick of Alpine Lanes, requesting some information pertaining to operating a Family Steak House on Alpine Lane. The board suggested that a letter be forwarded to Mr. Hedrick asking him to meet with the Board at their meeting of September 11th, 1972.

Letter re: Steak House on Alpine Lane

A letter was received from Mr. Robert Olson the Purchasing Agent stating that one bid was received from Demers Plate Glass Company of Lowell for the repair of the overhead garage doors at the Highway Garage. The amount of the bid was $1700.00. A motion was made by Mr. Hart, and seconded by Mr. Humphrey to award the contract to Demers Plate Glass Company for the repair work of the garage door. A letter will be forwarded to Mr. Olson asking him to contact Demers Plate Glass Co. to proceed with the work.

Bid for repair of garage door Demers Plate Glass Co.

Custom Sentry Alarms, Inc. system not practical for Town Hall.

A letter was then read from Mr. Gene Normandin, President of Custon Sentry Alarms, Inc. of 636 Merrimack Avenue, Dracut, Mass. in answer to our letter requesting that they make a survey of the Chelmsford Town Ha.., relative to security requirements and the cost to the town. After an extensive survey of the building, and a consultation with the Police Chief, Custom Sentry Alarms, Inc. have come to the conclusion that it would be totally impractical to consider an alarm system that could be armed or disarmed at a central location. The reason for this is that town officials from time to time enter the building after hours and do sometimes forget to lock the main door behind them, and also there would be many keys in circulation, which would be a poor security.The recommendations made would be to have a key switch mounted outside each individual office, and by having personnel entering the one office, it would be disarming only that one particular office. Mr. Lannan asked the board if they would be in favor of putting this on file for an article for Town Meeting. The board agreed with this.

Fin. Comm. appve. transfer of funds for Sel. Dept. help.

A statement was read by Mr. Lannan from the Chairman of the Fiaance Committee, Mr. Richard McDermott approving the transfer of $3,110.40 to the Selectmen's Separtment forthe hiring of two persons for clerical work.

Patrick W. Daley apptd. permanent patrolman to Police Dept.

A letter was received from the Chief of Police, Robert E. Germann with his recommendation for the appointment of one permanent patrolman for the Chelmsford Police Department from the Civil Service Requisition list. There were four names on the list; the one recommended for the Selectmen's approval was Patrick W. Daley, 112 Carlisle Street, Lowell, Mass. Mr. Humphrey made a motion to accept this name,seconded by Mr. Hart. It was so voted to accept Patrict W. Daley as permanent patrolman to the police department.

Request for signs erected warning motorists of double sessions of school buses.

A letter was then then read which was received from the Supt. of Schools, Mr. Thomas L. Rivard, in which he stated that the School Committee voted to request the Board of Selectmen permission for the highway department to erect signs at the town line on all roads entering Chelmsford warning the motorists that due to the double sessions, buses will be in operation between the hours of 6:30 A.M. and 6:30 P.M. It was asked by Mr. Humphrey that the Supt. of Streets be asked to estimate the costs of such signs, how many would be needed and the balance that is in the sign account.

Police Check on persons for corporation.

In a letter received from Chief Germann of the Police Department, he states that the record check which was made for Paul N. Rodman, Raymond J. Boisvert, and Harry J. Patterson., who wish to incorporate as the Lowell Youth Care Service Center Inc. to be located in Lowell. The Police Report stated they have found nothing unfavorable with the three people.

Building Insp. report for July 1972

The Building Inspector's report was read stating the number of permits issued during the month of July, 1972: 15 Additions, 5 Dwellings, 5 Pools, 1 department store, 1 retail store for a total valuation of $1,149,150.00.

Home Rule Advisory Comm. questionnaire

A letter was then read from Mr. William R. Murphy, Chairman of the Home Rule Advisory Committee, stating that the committeee is reviewing the 906 pieces of legislation by the 1972 session of the legislature and will forward information pertinent to the board. A questionnaire was attached with the letter, which Mr. Lannan asked the members if they would like to answer.

Use of town land by Ralph Parlee

In the form of new business brought before the board, Mr. Hart stated that Ralph Parlee would likethe use town land on Pine Hill Road. It was suggested that Town Counsel be asked for an opinion on this.

Review sidewalk at 26 to 36 Newfield St.

Mr. Humphrey stated that from 26 to 36 Newfield Street, there was a hole in the sidewalk due to the removal of a tree. He asked that Mr. Rondeau be informed of this and have him review and repair the sidewalk.

Mr. Humphrey said he has received many complaints from the residents in East Chelmsford against Mr. Pare, owner of Ronnie's garage regarding the continuing pile up of junk cars. It was suggested that the Town Counsel and Building Inspector take legal acgion in attacking the problem. Mr. Humphrey told the board that Mr. Pare does not have a Class III License. Mr. Baraldi of 96 Gorham Street stated that he lives across the street from the garage, and that junk cars are piled all over the property even to the extending down to a field that was to have been used by Little League. The Board of Selectmenagreed to have the Town Counsel and Building Inspecter check this situation.

Junk cars at Ronnie's garage East Chelms.

Mr. Doody told the board that a meeting of the Capital Budgeting and Planning Board will meet on September 7th, 1972 to discuss the bonds for the new high school.

Capital Budgeting & Plann. Bd. to meet

Mr. Doody then made the statement that he does not plan to be a candidate for re-election to the Board of Selectmen in March of 1973. His reasons were that the work load is increasing, his family demands are increasing, and other personal reasons he will not be a candidate. This will conclude ten years of service.

Mr. Doody not plan to re-reun for election in 1973.

Mr. Markham then asked that, regarding the Harrington transfer, that the applicant be aware to bring in a plan of the complex in regards to the total buildings in the area. Mr. Humphrey stated it is on file in the Building Inspectors office.

Harrington bldg. plan in off. of bldg. insp.

A motion was then made by Mr. Hart, seconded by Mr. Humphrey to adjourn the meeting. The meeting adjourned at 9:20 P.M.

Meeting adjourned.

For the Board of Selectmen,
Joan E. Biggar

Regular meeting of the Board of Selectmen: held September 11th, 1972 at 7:30P.M. Members present were Mr. Lannan, Chairman, Mr. Doody, Mr. Hart, Mr. Humphrey, and Mr. Markham. Mr. Lannan, presided.

Members present

Members of the press who attended the meeting were:
Chelmsford Sentinel: Mr. Jerry House
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Lowell Sun: Mr. Gus Webster

Members of the press

Mr. Lannan read an announcement of a dinner meeting of the Selectmen's Association, with the Maynard Board of Selectmen as hosts. The meeting is to be held on September 27th, 1972. Mr. Lannan said the invitation will be on the table in the Selectmen's office is any member wishes to attend.

Dinner mtg. of Sel. Assoc.

The minutes of the meeting of August 21st, 1972 were asked to be held for further reading.

Minutes of 8/21/72 held

A letter was then read from Louis F. Saba, Director of the Civil Defense Agency 400 Worcester Road, Framingham, Mass. regarding the availability of the Federal Excess Property Program. This agency has attempted to allocate available items where the greatest emergency need exists.

Civil Def. Agency: items made ready in emergency.

A letter was then read from the Town Accountant, Mr. Arnaud Blackadar, regarding the amount spent on the tornado work as of August 28th, 1972, is as follows:

Highway, Regular Labor Acct.	$6,853.98
Overtime	3,204.64
Fire, Fires & Emergencies	1,077.02
Police, Labor	4,843.29
Equipment & Supplies	198.77
From Tornado Account: Highway Labor	6,855.70
Equip. Hire	17,640.12
Tree Warden	7,854.35
Emergency Telephone	41.07
Total from all accounts	$48,568.94

Town Acct. report on tornado work account

No comments were made by the board on this letter.

Plaque to be placed in cemetery's to honor veterans on Memorial Day.

A letter was received from the Memorial Day Committee, Mr. Rimothy F. O'Connor, Secretary to the Memorial Day Committee, stating the members felt that the veterans who have given their lives should have better recognition on Memorial Day. It was suggested that a plaque dedicated to all veterans, with a flag be placed in each cemetery. It was suggested by the board that a copy of the letter from the Memorial Day Committee be forwarded to the Committee on Memorial to Veterans.

Meeting with Pol.Chief and Sgt.Edwards re: dismissal of John Hibbard.

A letter was read from John R. Hibbard, asking that he be given the reasons for his dismissal from the Auxiliary police. The Board agreed to meet with Police Chief Germann and Sgt. Edwards on Thursday evening, September 14th, 1972, to discuss this matter. The Board asked that a letter be sent to John Hibbard telling him of this meeting and asking him to meet also that evening with the board to discuss this further.

repair of railroad ties, spikes and gauge by Penn Central.

A letter was received from Mr. Frank Rogaini, Railway and Bus Inspector of the Department of Public Utilities, notifying the Selectmen that the Penn Central Railroad has installed fifty six (56) new safe ties, corrected the gauge and cross level where required, and the re-tightening of high spikes where required, on routes 4 and 110 crossings to Chelmsford Street.

Chapter 90: Acton Road Project.

A letter was then read by Mr. Lannan received from Mr. Louis Rondeau, Supt. of Streets with his recommendations for allotments for Chapter 90 projects for the year 1973: the Acton Road Project - total amount was $57,400.00 of which the state paid $28,700, and the County's share $14,350.00, and the Town's Share $14,350.00. In maintenance, the total was $9,000.00, with the state's share of $3,000.00, the county's share $3,000.00 and the town's share $3,000.00

Congratulatory letter sent to City of Lowell and Raytheon Co. on recycling project.

Mr. Lannan then asked that a letter be forwarded to the City of Lowell to congratulate the Raytheon Company and the City of Lowell on the award of the environmental protection agencies for the resources recycling project that will be built at the Lowell incinerator site. The board was in favor of sending this congratulatory letter. Mr. Humphrey commented that he would like several questions answered pertaining to this, such as are there any costs for participating communities, and in relation to our present contract in the use of the incinerator, can we anticipate any increase or decrease in the recycling plant. Mr. Doody seconded Mr. Humphrey's request to have the questions answered. Mr. Markham also asked for clarification of the above questions.

James C. Harrington - hearing on application to re-locate from 37 Central Sq. to 18 Boston Road.

At 8:00 P.M. a hearing was held on the application of James C. Harrington, d/b/a The Chelmsford Wine Shop for a transfer of location from 37 Central Square to 18 Boston Road (Purity Complex). Mr. John U. Harrington represented James C. Harrington at the hearing. John Harrington told Mr. Lannan that the nine abutters were notified and gave the forms to Mr. Lannan stating this. He then went on to explain to the board, some of the history of the Chelmsford Wine Shop. The store was founded in 1948 with a beer and wine license until 1961, which it was then granted a liquor license, and the store moved to 37 Central Square. He also stated there had never been a violation during this time..The reason for the moving of the store now is the present premises are too small, and there is a great parking problem. In 1971, negotiations began with Purity, Inc. for a store, and on May 24th, 1972 a $1500.00 deposit was made ona lease to be executed prior to the construction of the building and the transfer of the license. being granted. Mr. Harrington then submitted a proposed layout and location of the building. There would be 2,715 feet for display, and the store would be located between Marshalls and Purity Supreme. A letter which was received from Mr. Leo Kahn, president of Purity Supreme was read which stated the agreement made with the leasing of a store when completed and the amount of the deposit that was given on May 24th, 1972. Mr. Harrington then submitted 1,740 signatures to the Selectmen in support of this transfer. Mr. Lannan then asked where the loading platform would be and Mr. Harrington said it would be in the back of the store with entrances either from Boston Road or Summer Street. Mr. Lannan went on to ask when the completion of the store would be, and Mr. Harrington answered either December of January,no later than February 1st, 1973. Mr. Hart asked if the road coming into the store would be used by all stores, and the answer was yes. Mr. Humphrey asked about the lease arrangement, and Mr. Harrington said it was for five years with a one to five year renewal option. Mr. Humphrey asked if building permit had been issued, and the answer was it had and that the plumbing work has already been started. Mr. Doody then referred to Mr. Kahn's letter and the negotiations that went back as far as 1971. Mr. Markham asked if the building would be built even if the package store was not granted the re-location, and the answer was yes. Mr. Markham asked if the corporation structure would remain the same and the answer was there would be no change, it would remain the same. Mr. Lannan then asked if there was anyone present who wished to speak in favor of the transfer, and the following people stood and spoke in favor of the move: Mr. William J. Hennessy, Mrs. Ann Marie Kierce, Mrs. Delaney, Mrs. Edna Lindahl, Mr. Robert Bennett, Mr. Dillon, Mr. Francisco, Mr. Adam, Mrs. Dupee, Mr. Myles Hogan, Mr. Dennis Hogan, Mrs. Fitzgerald, Mrs. Reid, Mrs. Jones, Mr. Hannaford. There was no one who opposed the transfer. Mr. Lannan then stated that the matter would be taken under advisement, but Mr. Humphrey stated there was no need to delay and he made a motion of approve the transfer, seconded by Mr. Hart. Mr. Humphrey stated there was no other license in question, and therefore no reason for the transfer not to be approved. Mr. Doody stated the question before was that there were two applications that applied at the same time; one was for a re-location and one for a new license, but being the Harrington re-location had been discussed since 1971, he had no objection. Mr. Markham made the the statement that the Harringtons have an excellent record for 24 years, and that the transfer will assist the town in the relief of traffic problems. Mr. Lannan also approved the transfer, but added that it was too bad this application came in three days after another license was applied for. Mr. Lannan then asked the board to vote on this re-location and it was a unanimous vote for The Chelmsford Wine Shop to relocate from 37 Central Square to 18 Boston Road. The hearing adjourned at 9:00P.M.

Harrington
hearing
on re-locate
(continued)

A letter was read from Rev. Ned C. Watts, Jr. of the Aldersgate Church, which was sent to the Superintendent of Highways, thanking the Highway Department men for the splendid job they did in cleaning up the brush from cut trees to provide for needed parking space at the rear of the church.

Letter of
thanks to
Highway Dept.
from Rev.Watts
re: brush
cleanup.

A letter was received from Peter J. McHugh, Jr. Building Inspector, in answer to our letter regarding Mrs. Kathleen M. Dowd's complaint of trailers on private property in her neighborhood. Mr. Humphrey stated that all our questions in our letter to Mr. McHugh were not answered, and he would like another letter be sent to him requiring that all our questions be answered.

Bldg.Insp. to
anwer all
questions about
trailers on
Temi Road.

At 9:00 P.M. there was a conference with Mr. John Balco and Mrs. Jane McKersie of the Conservation Commission regarding the dam on Crooked Spring Reservation which had been damaged. Mr. Balco explained that there would be no danger to property or person if the dam gave way. Mr. Balco asked if the town, with its own resources, repair the dam, and if not how would the Conservation Commission go about this. He also stated that there is a drainage problem in the reservation; there is a crack in a pipe which is causing erosion. Mr. Doody asked if it would be possible to break the pipe and re-route it, and that the Supt. of Streets and Town Engineer sould look into this situation. Mr. Balco said the dam was in a dangerous state, and that it was a danger to children in the area. He asked if it could be possible to have the Supt. of Sts. temporarily make the dam safe for the winter. Mr. Lannan asked Mr. Balco if it would be possible for

Conf. with
Mr. Balco
of Conservation Comm.
re: repair of
dam at
Crooked Spring
Reservation.

him to meet with the Town Engineer and the Supt. of Streets, to discuss just what has to be done, then an article can be drawn up for Town Meeting. It was suggested that a letter be sent to the Supt. of Streets requesting him to contact the Town Engineer, then investigate the dam, and the broken drainage pipe and the cost to repair both.

quite

Possibility of a steak house to be built on Alpine Lanes property. Conf. with George Hedrick.

At 9:30 P.M. there was a conference with Mr. George Hedrick of the Alpine Lanes to discuss the possible construction of a steak house on Alpine Lane property. Mr. Hedrick said it would be a family steak house with seating of not a hundred people. Mr. Hedrick stated the price range of the dinners would be in the vicinity of $3.95. He asked if the board would have any objection to this, and also if a liquor license would be available for the restaurant. Mr. Lannan then questioned the location of the restaurant and the size, and how it would effect the traffic conditions. Regarding the liquor license, Mr. Hedrick was told he could fill out an application for an all alcoholic license. Mr. Lannan suggested that Mr. Hedrick submit plans of the building to the Selectmen. Mr. Hedrick then asked if the building would have to be separate from the bowling alley. Mr. Lannan stated that it does. Mr. Humphrey stated that a previous license was denied because it was on the same premises as the bowling alley. Mr. Hedrick stated it would be a corporation and whatever was done would be done well, and be kept clean and neat, and that the location he was thinking of for this steak house would be on the land on the right of the bowling alley. Mr. Doody said that the town could use a good family restaurant. Mr. Markham asked Mr. Hedrick if there would be a separate lounge, or would the drinking be in the restaurant. Mr. Hedrick stated there would be no cocktail lounge, that drinking would be confined to just the restaurant. Mr. Lannan stated that the board can only act upon this when plans were submitted to them. Mr. Hedrick thanked the board for their time in discussing this with him.

Permission for School Committee to use service of Town Counsel

Mr. Lannan then asked the board if they had any new business to discuss. Mr. Hart stated he did not have any new business. Mr. Humphrey asked that the Highway Department be asked to consult with Lowell regarding the salt bids. Mr. Humphrey then stated that the School Committee be given permission to use the services of Town Counsel, the same as other departments. Mr. Humphrey made a motion in favor of this, seconded by Mr. Hart, and voted unanimously that the School Committee use the services of the Town Counsel without first coming to the board. It was suggested that a letter be sent to the School Committee informing them of this.

New Business

Mr. Humphrey stated that no answer has been received from Atty. Zaroulas regarding the East Gate Plaza. He asked that a letter be forward to Atty Zaroulas asking him how the action stands and how soon may the Board expect an opinion.

Mr. Doody stated that he had a call from the Recreation Commission asking for help in moving their equipment to the West Chelmsford Fire Station, and that they would like to speak with the Supt. of Streets. A letter was suggested to be forwarded to the Highway Department regarding this subject. Mr. Doody also stated that the Bond issue regarding the new High School will be the subject that will be discussed at the next regular board meeting, and a full report will be given at that time. The subject of the Share project and the use of the Middlesex Training School as a half way house was discussed. Mr. Doody stated he had no objection to this, but Share must inform the Towns people and the Board of their plans first. A report will be given involving this subject at the next Board meeting.

Mr. Humphrey stated that an alternate member is still needed on the Board of Appeals, and their has been no application received for this vacancy. It was then suggested that Mr. Arnaud Blackadar, Town Accountant serve on the Town Hall Site Committee as Chairman pro-tem. A member of the Board of Selectmen was also needed to serve on this Committee, and Mr. Lannan stated he would serve to represent the Selectmen. Mr. Hart made a motion to accept

accept this, seconded by Mr. Humphrey. It was also stated that the Planning Board had received several letters asking them to submit a name to serve on this Committee. As of this date no reply has been received from them.

At this time, Mr. Hart made a motion to adjourn the meeting, seconded by Mr. Humphrey, thus the meeting adjourned at 10:00 P.M.

Meeting adjourned

For the Board of Selectmen,
by Joan E. Biggar

Regular Meeting of the Board of Selectmen held September 18th, 1972, at 7:30P.M. Members present were Mr. Lannan, Chairman, Mr. Doody, Mr. Hart, Mr. Humphrey, and Mr. Markham. Mr. Lannan, presided.

Members present

Members of the press who attended the meeting were:
Chelmsford Sentinel: Mr. Jerry House
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Lowell Sun: Mr. Gus Webster

Reporters present

A letter was read from the ABCC relative to package stores being open on primary day September 19, 1972. Mr. Hart moved to allow all retail package stores to remain open in Town on Primary Day. Mr. Doody seconded the motion. Mr. Lannan stated that this has been the practice of the Board of Selectmen to allow package stores to remain open.

Pkg. Stores Opening On Primary Day

The Building Inspectors Report for the month of August, 1972. There were 47 permits issued for a total value of $748,975.

Bldg. Insp. report for August 1972

Absence and termination notice was signed by Gerald J. Lannan for Michael Fitzgibbon as an intermittent patrolman, because he had declined a permanent? position on the Police Department for the 3rd time.

Term. Notice M. Fitzgibbon

Gerald Silva requested he be appointed to the Home Rule Advisory Committee. On a motion by Mr. Hart and seconded by Mr. Markham, Mr. Silva was appointed to the Committee. All members agreed that a letter should be sent to William Murphy, Chairman, Home Rule Advisory Committee requesting recommendations on how large the Committee should be and also notifying the Committee of the appointment of Gerald Silva.

Gerald Silva apptd. Home Rule Advisory Committee

A copy of letter from Peter McHugh, Building Inspector, sent to Mr. Callahan, Living and Learning School, Boston Road, advising him that the school would not receive an occupancy permit until the exit going out to Warren Avenue has been clarified. Mr. Lannan stated that the school had already opened and wondered how it could do so without this permit. Mr. Hart stated that the people who put up the building have not cooperated with the neighbors in any way. All Board members agreed that Mr. Lannan could speak to Mr. McHugh about this at meeting of Dept. Heads the following day.

Letter from Bldg. Insp.re: Living and Learning School

A letter was read from Highway Superintendent, Louis Rondeau, requesting an increase for sanders from $12.00 per hour to $14.00 per hour, and also that there has not been a change in rate since December, 1969. Mr. Humphrey requested a letter be sent to Mr. Rondeau asking for comparable rates in the surrounding communities before making a judgment or request.

Increase for Sanders- Highway Dept.

Mrs. Mary Donavan of 91 Dalton Road wrote a letter to the Board of Selectmen on September 11th, requesting repairs on Dalton Road. She stated the narrow road needs resurfacing and pot holes and heavy traffic have created a dangerous situation. She also requested that sidewalks be placed near the school with the appropriation of $5,000. Mr. Lannan stated that the sidewalk construction Program

Request for Repairs on Dalton Road - Sidewalks has gone out for bids but Dalton Road is not on the program for this year. A copy of Mrs. Donavan's letter had gone to the Highway Department for recommendations but a reply has not been received from Mr. Rondeau, Highway Superintendent, as of this meeting.

Request from Charles River Cable Televisio

A letter was read from Charles River Cable Television, Woburn, requesting to come before the Board to make a full presentation on Cable Television. Mr. Lannan stated that several applicants have requested to come before the Board for CATV licenses. Mr. Hart requested that this letter be put in the folder with other requests until guidelines from the State are available. All Board members were in agreement. A letter will be sent to Charles River Cable Television advising them that the Board took no action on their request.

Resignation - Frank Doherty, Industrial Dev.

A letter of resignation from Frank Doherty was read. He resigned from his position as Industrial Developer for Chelmsford, effective September 15, 1972. Mr. Markham requested a letter be sent to Mr. Doherty wishing him success in his new endeavor. Mr. Doody, seconded the motion.

Congratulatory letter from John Leff-Hot Lunch Program for Elderly

A letter was read from John Leff, Executive Office of Elderly Affairs, informing the Board of Selectmen that he had just signed the Elderly Persons Hot Lunch Program for the Town of Chelmsford. He congratulated Chelmsford on the start of the hot lunch program and wished them success.

Nuisance at 7-11 - Concord Rd., Drag Racin

A letter dated September 12th, signed "A Taxpayer" was read requesting the Selectmen to look into the gathering of people at the 7-11 on Concord Road who were creating a nuisance. Also, there was drag racing in the area from 11:00 P.M. to 3:00 A.M. preventing people in the area from sleeping. Mr. Lannan read a letter from the Police Department stating that cruisers have been checking this area and are removing people who gather in large groups.

H.G. Waterhouse Appointed Spe. Police Officer

Police Chief Germann requested approval on appointment of Harold G. Waterhouse, Lowell Police Officer, as a Special Police Officer to serve without pay during emergencies. Mr. Hart moved the appointment. Mr. Humphrey seconded the motion.

Petition-Pole Location

Petition for Pole Location - Massachusetts Electric & New England Telephone, 3 joint pole locations on Richardson Road and 1 on Graniteville Road. Mr. Hart moved that hearings be set up. Mr. Humphrey seconded the motion.

Dog Biscuits for "Rogue"

Robert W. Bennett, vice president of the Couples Club of the Aldersgate Church has written to thank Officer Robert Auger for his recent demonstration with Chelmsford police dog "Rogue". The Club enclosed a check for $10.00 to buy "Rogue" some dog biscuits.

Am. Ambulance Modifications $500 Transfer Ambulance Serv.

The American Ambulance Service wrote to the Selectmen explaining recent modifications of their service. All men working for the company are now qualified emergency medical technicians. Also, the company has a new communication system which allows the ambulance to contact hospital emergency rooms. Mr. Lannan also stated that $500.00 had been transferred by the Finance Committee for Ambulance Service.

Turnpike & Mill Rds. Corner

Keith Reynold, 26 Samuel Road requested the Selectmen to do something about the "Russian Roulette" corner at Turnpike Road and Mill Road. Selectman Hart requested a copy of the letter be forwarded to the Highway Department for recommendations.

Over 30 Singles Request for Sun. Entertainment License

Daniel Hamelin, Sherbrook Street, Tyngsboro, requested a Sunday entertainment license to operate an over 30's Singles ballroom at the Elks on Sunday evenings. Mr. Lannan stated that in the past, the policy of the Board has been to deny all Sunday Entertainment Licenses relating to dancing. The Selectmen were all in agreement and the license was denied.

Request- re: Parlmont Plaza Parking

Mr. T. W. Zabierek, International Organization of Lettercarriers Branch 4383, requested that the Board of Selectmen correct a parking problem at Parlmont Plaza. He stated that 39 Post Office Employees have to park their cars on private property.

Cars were also plowed in last winter during snow plow operations. Mr. Lannan stated that the Town Engineer was working on this matter trying to establish the bounds on Alpine Lane. Mr. Lannan also stated that the Town Engineer did not have plans of the area. The Building Inspector has been requested to investigate the premises to determine whether adequate parking exists.

Run off on property at 154 Hunt Rd.-Letter to Hghy. Dept.

Marvin TeGrotenhuis, 154 Hunt Road, requested the Selectmen do something relative to the run off on his property. He also stated that he had notified the Highway Superintendent, Mr. Rondeau, about this problem. Mr. Rondeau told him there was no money to fix it, therefore, he asked the Board to rectify the problem. The Board agreed that a letter be sent to the Highway Superintendent requesting recommendations to correct the situation and estimated cost.

Dog Officers Rpt.-Aug.1972

Mr. Frank Wojtas, Dog Officer, report for the month of August, 1972, was as follows: 16 stray dogs, 4 returned to owner, 54 complaints, 172 miscellaneous calls, 29 dead animals, and 1,202 miles travelled.

New Business

Mr. Hart stated that the trash at Mr. McKennon of Hall Road hasn't been picked up. Mr. Hart also reminded the Board that they would meet with Town Counsel and Building Inspector on Wednesday, September 20th, 1972, to survey the Hallburg and Dryden properties on Proctor Road.

Selectman Hart congratulated Coach Kerry and his staff and the high school football team for their victory over Lowell High on Saturday. He also congratulated the Chelmsford High students who attended the game for their conduct. He stated that we have much to be proud of besides the fact that Chelmsford beat Lowell.

Mr. Humphrey - No New Business.

Capital Budget Committee - Bond for new high school

Mr. Doody presented the recommendations of the Capital Budget Committee in regard to the bond for the new high school. He said he would not read the minutes of the meeting as he was sure the Selectmen had already read them. He stated that the Capital Budget Committee had taken into consideration the amount of the bond, the capital flow requirements and the term of the bond. The Committee recommended that the Town float an $8.5 million bond immediately and discuss floating the additional $1,740,000 voted in October of 1973 if it is needed and would be taken out in short term bonds. The Capital Budget Committee recommended a 10 year term for the original $8.5 million. The Capital Budget Committee also recommended that a portion of the $8.5 million be invested during the time it was not needed. The amount for the fiscal year would be in the vicinity of $200,000. They further recommended that this amount be used to reduce the taxes to be voted at the next Town Meeting. Selectman Doody moved that the Treasurer be directed to float $8.5 million bond for 10 years. Mr. Hart seconded the motion. Mr. Markham was in agreement but asked what the rate increase had been between the time the Selectmen met on the issue and September 8, 1972, and what it would be when the bonds were floated. Selectman Doody said that Mr. Guinan of the State Street Bank and Trust said there are too many variables to be able to commit himself to a rate. He did feel the rate would remain about the same. On August 21st, it had been 4.5% and September 8th, 4.7%. Selectman Humphrey commended the Capital Budget Committee of their research. He said that never during his term on the Board had such action been taken. This shows what a Capital Budget Committee can do and urged them to continue their work. Mr. Lannan asked the Board members if they would like the Capital Budget Committee to investigate the investment of the unused money to reduce taxes. Selectman Humphrey suggested Town Counsel be included to see if it were legal. The Board agreed to allow the Capital Budget Committee use of Town Counsel.

Share

Selectman Doody advised the Board that he had no information to give them on Share's plans to use the Middlesex Training School building. Mr. Doody recommended the Board write to Dr. Paul Strudler and ask that he and Mrs. Ann Stratos, Chelmsford's representative to Share, meet with the Board to discuss what Share's plans were for the Middlesex County Training School. Mr. Lannan said that on several occasions Share has attempted to use Chelmsford property and had not informed the Selectmen of its intentions beforehand. He said we should let the people know what is going on before it happens. Mr. Hart asked that a letter be sent to the Middlesex County Commissioners requesting they inform the Board of any planned changes in the training school which would be of interest to the Board now or in the future, because Chelmsford has to provide Police and Fire Protection.

Selectman Markham - No New Business.

Meeting Adjourned

Selectman Humphrey moved to adjourn, Selectman Hart seconded. The meeting was adjourned at 8:25 P.M.

For the Board of Selectmen,
Evelyn M. Haines

Members present

Regular Meeting of the Board of Selectmen held September 25th, 1972, at 7:30 P.M. Members present were Mr. Lannan, Chairman, Mr. Doody, Mr. Hart, Mr. Markham. Mr. Humphrey was not present. Mr. Lannan presided.

Reporters present

Members of the press who attended the meeting were:
Chelmsford Sentinel: Mr. Jerry House
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Lowell Sun: Mr. Ralph Jacobs

Meeting to discuss Share's proposal to be located at the Middlesex County Training School

Meeting to discuss Share's proposal of Anabasis House to be located on the grounds of the Middlesex County Training School. In attendance were the following: Senator B. Joseph Tully, Dr. Paul Strudler, Attorney Eugene Bernstein, James F. McMahon, Superintendent - Middlesex County Training School, Thomas Doyle, Donald Butler, Drug Action Committee. Selectman Lannan stated that the proposal had come to the attention of the Board through the news media and he in turn got in touch with Senator Tully. At that time, Senator Tully told me that it was his intent to introduce legislation to have Reed Cottage used for the Share Program, and assured me that the Board would be informed. It was learned that the County Commisioner did not need legislation and this bought the meeting about. Selectmen Lannan said he was not against a facility of this type but I am concerned when action is taken for a drug facility in the Town of Chelmsford without informing the Town's Fathers. This lack of information also occured when the Grossman property was proposed as a drop in center. And that had these things been brought to the Selectmen's attention they could have allayed the Townspeoples Fears that are brought about from people who cannot see the full point of view but only what they read in the newspapers. When something like this breaks in the news the Selectmens phones start ringing. This meeting is to find out what the proposal means, how will it affect the people in the area and where is the petition objecting to this location for use of Share. Sen Tully - I will answer Mr. Lannan's questions. Dr. Strudler asked my help in obtaining the Building for his program. At that time, I knew legislation would be needed to turn over the building and never gave a thought to the County Commissioners leasing it. Subsequently, I attended the Board of Appeals hearing for a variance on Andover St. for a Share House. I suggested an alternate proposal might be a building partially destroyed by fire at the County Training School which the County did not repair because of the almost certain passage of the Truancy Act which would eliminate Training Schools. The only inquiry I received was a telephone call from Mr. Lannan. I told Mr. Lannan I would let him know before any steps were taken. The County Commisioners have not answered whether or not they would spend money to repair the building. I understand that residents of the area have questions to ask, but I have never received a call asking for answers. The Truancy Act calls for the closing of Training Schools, I have received suggestions for use of the grounds; a first offenders institute, a prison camp, a detoxification center and education of various special needs. With the exception of Special Education. I could not conceive of any other program that would give less problems than that of Dr. Strudler's. I understand the petition referred to fear of more house breaks and that most of the signature's were Lowell people. Donald Butler - I personally feel that this is a good locale for a halfway house and patients are confined until they are ready for society. I do not feel it would be an added responsibility for the Chelmsford Police.

Mr. Lannan - How much land surrounds County Training School? Mr. McMahan - There is 116 acres. Mr. Lannan - Could the land be used by the National Guard? Mr. Tully - No. Mr. Hart - I would suggest the use of the land for a Community College. Sen. Tully - This is a great idea but the Counties of Essex & Plymouth do not have Community Colleges. Middlesex has a Community College located in Bedford. Sen. Tully - I do not agree with Dr. Strudler on everything, but I have studied the program and think it is worthwhile. Dr. Strudler - The plans call for the use of the 1st and 2nd floors of Reed Cottage for 20 to 40 people. The operation would be similiar to the one at 841 Merrimack St. which has been in existance without a complaint. The program is drug free and patients in the house have been through detoxification at a hospital before entering the program. The program is psychological rather than physical rehabilitation. The program is a seven day a week program and is staffed at all times. The first 30 days the patient has no priviledges such as mail, visiting, or leave. Within 4 to 6 months the patient may leave the house with a person who has gone through the house. None of the patients in the program have returned to drug use. The house is staffed 24 hours a day by professionals and ex-addicts who have taken a two year program. There is one staff member to every 6 patients. The house has psychological and medical backup from doctors in the vicinity. Mr. Lannan - What percentage of patients are from Chelmsford? Dr. Strudler - 570. Mr. Markham - What is the average age? Dr. Strudler - Ages are from 17 to 24. Mr. Lannan - Would the repairs at the Reed House mean additional assessments to the towns. Dr. Strudler - We do not wish to request additional assessments to the Towns. But we will seek aid from State & Federal. Presently the State is giving $100,000 and the federal Government is giving a grant. Mr. Markham - Mr. McMahon what is your feeling about the Abanasis House being located on Training School Grounds. Mr. McMahon - My position is not as a representative of the County Commisioners, but to carry out the mandate of the County Commisioner to the best of my ability. I have not received any mandate from the new Commissioners and my responsibility is to the youngsters in my care. The Truancy Bill may pass and should it happen, the future of the Training Schools are in doubt. In regards to Dr. Strudler's program it is a fine program. I can not forsee any problem. Mr. Markham - Would the children at the school be intergrated with the patients? Dr. Strudler - There will be no mingling of the two programs except for use of gym when the school is not using it. Mr. Markham - What about the use of the grounds? Dr. Strudler - The Chelmsford Members of the Board of Directors have not attended the last two meetings. Mr. Doody - Mr. Norman Lory has resigned from the Board of Directors and has not been replaced to date. The Selectmen agreed that they would support and endorse the program at this location. The Selectmen requested that they be furnished a copy of the proposal in order that they could review it prior to it being presented to the County Commissioners. Upon receipt of the proposal and after we review it, we will send communication to County Commissioners endorsing the program in accordance with the proposal. Mr. Doody - Dr. Strudler has been doing a remarkable job.

Petitions for joint pole locations on Richardson Road were voted. Mr. Hart - moved to approve. Mr. Markham - seconded the motion. Mr. Markham to sign petitions as clerk of the Board.

Petition -
Pole Locations
Richardson Rd.

Building Inspector informed Board on violation concerning a trailer on Temi Road. The owner of a registered runabout trailer had contacted the Police Chief for the proper procedures to follow. The reason for not immediately investigating same--I did call numerous times when I received the letter to no avail. I'm sure that Mrs. Dowd knew my office hours. If I were to investigate every incident at place of origin, I would be away from home 24 hours in the day. A lot can be accomplished over the phone, as all my work is accomplished on Saturdays and Sundays. Board agreed a letter should be sent to Mrs. Dowd with a copy of the Building Inspectors Report. State in letter if Mrs. Dowd has any further questions to contact the Board of Selectmen.

Letter from
Bldg. Insp.

Trailer on
Temi Road

Letter from Castlewood Community Association regarding speeding in the area - signs to be installed in the area

The Castlewood Community Association sent a letter to Police Cheif Germann, copy of letter to Board of Selectmen which stated: I am writing to you on behalf of the members of the Castlewood Community Association. Strong concern has been registered over speeders and other drivers who may be unfamiliar with the large number of children in this area. At our September meeting, the members felt action should be taken now before a tragedy occurs. This would be a two fold attempt to solve this problem. First members of Castlewood Community Association have already informed the organization of the problem. We are going to have a contest among us for the best designed street signs which will be posted in the area warning drivers of the dangers of speeding. Second, assistance from the police department, in providing routine intermittent cruiser patrols through this area between the hours of two and six p.m. when children are out of school. If this can be done we will make it known to our members through our monthly newsletter, and hopefully this will reach those drivers who have reason to be concerned. Enclosed is a map which comprises the CCA membership area. I would appreciate hearing from you on this request before our next scheduled meeting on Sunday, October 1, 1972. Police Department investigated. Officer Bell talked with Mrs. O'Neill. In regards to a letter from the Castlewood Community Association concerning speeding in the Castlewood area. Officer Bell talked with Mrs. O'Neill, 7 Radcliffe Rd. and we discussed the situation and we decided that we would ask for "Children Playing" signs to be installed at the corner of Castlewood and Graniteville Roads on Castlewood Rd. also at Radcliffe and Crooked Spring Roads on Radcliffe. I talked with Mr. Rondeau of the Highway Dept. and he said he would install these signs for us. We have also increased our cruiser patrol in this area. Traffic signs may not be put up unless approved by the Massachusetts D.P.W. Mr. Doody said the problem has been only with a few cars, but that there are many small children in the area. The residents are trying to keep traffic under control. Officer Bell has been over there and made suggestions to them. He has been very helpful.

Letter from Bldg. Insp. to T. Sihpol

Copy of letter sent by Building Inspector to Theodore Sihpol, Westford Street, to appear before him so that he can explain the procedures to get a special permit for a leathergoods operation. Building Inspector has already issued a regular permit because he felt it was a legally zoned operation. He was overruled by Town Counsel. This is reason for special permit.

P. McHugh appointed Sp. Police Officer

Police Cheif Germann requested that Peter McHugh, Building Inspector, be appointed a Special Police Officer, Mr. Lannan said that this request should be approved in order to allow Mr. McHugh to go on private property. Mr. Hart moved the approval. Mr. Doody seconded.

Rainbow Lounge ext.- Friday Entertainment

The Rainbow Lounge has requested an extension of their Friday entertainment license from twelve noon to one A.M. Hart moved approval, Markham seconded.

Police Dept. request - No Parking, Westford St.

The Police Department sent a letter requesting no parking be allowed on the Westerly side of Westford Street, from a point commencing at the parking lot of the Unitarian Church, Southerly for a distance of 295 feet. Exception to the rule would be a funeral or wedding procession being performed at this church. Mr. Lannan stated request must be submitted to Massachusetts D.P.W. for their approval, and when approval is returned changes in ordinance has to be advertised before change becomes effective.. Mr. Hart moved to approve changes. Mr. Markham seconded.

Nora Clifford appointed Police Matron

Police Cheif Germann asked Selectmen to approve appointment of Nora Clifford, Locke Road as Police Matron. Mr. Hart moved the appointment. Mr. Doody seconded.

Sidewalk Repair Newfield St.

Highway Department sent letter to Selectmen stating that Department repaired hole in the sidewalk at 26-36 Newfield Street.

Mr. Olson, Purchasing Agent sent letter to Selectmen relative to salt purchases for

1972 and 1973. The letter stated Chelmsford's contract for salt with Eastern Minerals, Inc. was for the period 1971-1972. The Consortium negotiates for the period January 1 to December 31. For Chelmsford to "catch up" with the Consortium, we must negotiate for salt delivery between the first snow to December 31, and bid with the Consortium during October or November. Eastern Minerals, Inc. was awarded the contract by the Consortium last year. Inquiries will be made to determine if Chelmsford can be supplied by Eastern Minerals, Inc. until December 31, 1972. No commitments will be made until recommendations have been submitted and the full package is acceptable to the Board of Selectmen. Mr. Lannan requested permission from other Board Members to instruct Mr. Rondeau, Highway Superintendent, to start stock piling salt within the next two or three weeks. Check consortium figures, obtain the following information from Mr. Olson: (1) our price from now through the end of the year; (2) proceed to join Consortium.

Letter from R. Olson - Salt Purchases Consortium

Highway Department sent reply to selectmen with Comparative figures on the rates of hiring sanders in neighboring towns. All the Towns hiring sanders pay at least $14 with the exception of Westford which pays $10. The Highway Department asked for a raise in rates from $12 to $14 per hour. Mr. Doody moved the increase of $14 per. Mr. Hart seconded the motion.

Increase in Sander's rates

The Chelmsford Art Society sent a letter to The Board for the use of some upstairs space. Before we will be using it, we will contact the custodian and make the proper arrangements. Exibits in Selectmens' Office-we are making our members aware of this hanging space. As soon as we have gathered together enough work, we shall arrange to have it displayed. This might not be until after our first monthly meeting late in the Fall. Old School House-we will continue to hope that in the not too distant future the Park Department will find other space for its equipment. When this occurs, our organization will prepare and submit an article, as instructed, for approval.

Letter from Chelmsford Art Society

Letter from Town Counsel regarding Stephen Wojcik, Planning Board, no impropriety, no comments.

Town Counsel's letter - Steve Wojcik

Irene A McHugh, 126 Pine Hill Road, resigned as a Counter in Precinct 12.

Resignation

Town Counsel sent a letter stating Pare case was continued until Thursday, September 28, 1972.

Pare case continued

Bids were received for sidewalk construction from James Walsh & Sons, Inc. $7,980. George Brox Paving Co., $4,276.00, (George Brox did not bid to the specification) C. Russell, Inc. about $7,768.00, William Belleville, Inc., $6,370.00. Mr. Hart moved to award bid to Wm. Belleville, Inc., low bidder. Mr. Doody seconded.

Sidewalk Bid awarded to Wm. Belleville, Inc

Mr. Lannan stated that this Friday, September 29th, 1972, will be proclaimed Army Appreciation Day, for it was the people of Company "A" of the 39th Engineers at Fort Devens who came here for a two week period after the tornado struck, July 21, 1972. If it wasn't for these people, we would still be cleaning out. DeWitt C. Armstrong III will arrive at the Chelmsford Elks about 4:15 P.M. to accept two placques and proclamation from the Town of Chelmsford. There will be an outing at the Elk's grounds from 2-7 P.M. and there is no cost to the Town. We extended invitations to Senator Kennedy, Senator Brooke, Representative Heckler and State Senator MacKenzie. Mr. Hart stated, this is just a small way of saying thank you, when we needed them, they were here. Mr. Doody - they did an outstanding job. Mr. Markham - The Army did an excellent job for the Town. Following is the proclamation issued by the Selectmen. "We, the members of the Board of Selectmen representing the Town of Chelmsford, Massachusetts desiring to show and display our appreciation for the help and assistance rendered to the town in the aftermath of a tornado that struck the town during the evening of 21 July 1972, do hereby declare that: Whereas the commanding officer, Brigadier General DeWitt C. Armstrong III, having learned of the plight of the town through his Deputy Commander, Colonel

Proclamation Army Appreciation Day

Pearson, and Domestic Relations Officer, Lieutenant Colonel Robert Harrington, did order an assessment of the situation to be made and be reported back to him. And whereas, Lieutenant Colonel Bittle, Commanding Officer of the 18th Engineer Battalion (combat) now the 39th Engineer Battalion (combat) along with his company "A" Commanding Officer Lieutenant Daniel Sullivan surveyed the disaster area and reported that the town of Chelmsford was in need of assistance that could be rendered by the Engineer Battalion. And whereas the Commanding General based upon the reports submitted to him ordered his Battalion Commander to render assistance to the town of Chelmsford that would be required to bring the work level down to that point where it could be handled in a normal and routine manner by the town Highway Department. And whereas approximately ninety percent (90%) of the military personnel participating in the clean-up work were Vietman Veterans, we the Town Fathers rerepresenting the townspeople wish it be known that we are proud of our military personnel and proud and happy with the proximity of Fort Devens and its military personnel. We therefore proclaim in appreciation for the assistance and effort rendered by the 39th Engineer Battalion (Combat) and particularly Company "A", 29 September 1972 as Army Appreciation Day and do request all our inhabitants to fly our American Flag that day from sunrise to sunset. We, the Board of Selectmen, set forth our hand this 25th day of September 1972, for this purpose.

New Business

Mr. Hart - No new business.

Mr. Markham - Testimonial for Alfred Coburn will be held October 18th, 1972, at the Banqueteer. Tickets are available.

Mr. Doody - We should support the Share Program in that location site at Middlesex Training School. I also wish to thank the Highway Department for their work on repairing Graniteville Road. The work was very well done.

Meeting Adjourned

Mr. Hart moved to adjourn the meeting, Mr. Doody seconded. The meeting was adjourned at 9:15 P.M.

For the Board of Selectmen,
by, Evelyn M. Haines
Administrative Assistant

Regular Meeting of the Board of Selectmen held October 2nd, 1972, at 7:30 P.M.

Members present

Members present were Mr. Lannan, Chairman, Mr. Hart, Mr. Humphrey, Mr. Markham. Mr. Doody was not present. Mr. Lannan presided.

Reporters present

Members of the press who attended the meeting were:
Chelmsford Sentinel: Mr. Jerry House
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Lowell Sun: Mr. Ralph Jacobs

Voting hours Presidential Election

Mr. Lannan asked the Board to set voting hours for Presidential Election, Nov. 7th, 1972. The hours for voting in 1968 were from 8:00 A.M. to 8:00 P.M. Mr. Humphrey moved that the hours be from 8:00 A.M. to 8:00 P.M. Mr. Hart seconded the motion.

Street Accept. last day - October 30,1972

Mr. Lannan asked the Board to set October 30th, 1972, as the last day to file for Street Acceptance. Selectman Hart moved October 30th as the last date to file for Street Acceptance. Selectman Humphrey seconded this motion. Mr. Lannan requested a letter be sent to the Planning Board advising them of deadline for Street Acceptanc

Renewal - Auctioneers License

Renewal of Auctioneers License for Henry Erickson, 21 Chelmsford St. and Eliot Remick, 219 Westford St. Mr. Hart moved that both renewals be granted. Mr. Humphrey seconded the motion.

League of Women Voter's Week

On a motion by Mr. Hart and seconded by Mr. Humphrey, the Board voted the week of October 5th through October 11th, 1972, as League of Women Voter's Week.

Charles Harvey appointed Sp. Police Officer

A letter from Police Chief Germann was read requesting the appointment of Charles D. Harvey as an auxiliary police officer to serve without pay from the Town. Mr. Hart moved the appointment, Mr. Humphrey seconded the motion.

Signs-Be Cautious - School buses

Mr. Lannan stated that the Board had requested an estimate for signs reading "Be Cautious - School Buses" on Highway from 6:30A.M. to 6:30P.M. These signs had been requested by the school department because of double sessions. Mr. Rondeau, Highway Superintendent, by letter, informed the Board that the 39 signs would cost $720.70 and he presently had a balance in his account in the amount of $364.00. Selectman Hart asked if he could transfer from anyone of his other accounts. Mr. Lannan stated that they had a sign account for this purpose only. Mr. Humphrey moved that a request be sent to the Finance Committee requesting a transfer of $720.70 as the signs were needed. Mr. Hart seconded the motion. Mr. Markham requested the sign read "Be Cautious - School Buses on Highway 6:30 A.M. - 6:30 P.M.".

Belleville - increase of gas storage

The Selectmen have received an application from William Belleville for an increase in storage from 1000 to 6000 gallons of gas to be located at 16 Oak St. Mr. Hart moved that a hearing date be set. Mr. Humphrey seconded the motion.

Beano License for Elks

Selectman Lannan read a letter from the Commonwealth of Mass., Department of Public Safety, 100 Nashua Street, regarding the application for a Beano License for the Chelmsford Elks. The letter stated that they were reviewing all such requests by the Elk's Clubs throughout the State and that they were reviewing their policy of what is to be done concerning this club and other fraternal organizations. When they arrive at a decision, they will forward it to the Board of Selectmen. No comments were made by the Board of Selectmen.

Letter sent Eugene Lohnes

A copy of letter to Eugene Lohnes of Princeton Auto Sales, Inc., Princeton Blvd. sent by the Building Inspector was read. The letter said he was to remove all but 15 cars from his lot within 30 days in order to comply with his Class II license or face court action. Mr. Humphrey stated that court action was not called for under any circumstances. At best, the Board could decide not to continue Mr. Lohnes' license. Mr. Lannan stated he felt it was the responsibility of the Building Inspector to enforce regulations and not Town Counsel.

Billboard By-Laws Violation

Mr. Lannan read a letter from Building Inspector regarding Billboard By-Laws. He said most of the 17 billboards in Town are in violation of zoning ordinances and might be covered under Grandfather Clause and wished to consult Town Counsel on the matter. Mr. Markham said that further investigation is needed and he should confer with Town Counsel.

Hearing - Removal of Rufus, owner Mrs. Barbara Dawson

Hearing held October 2nd, 1972, Mr. Lannan stated that this is a hearing on the request of Mr. & Mrs. Victor R. Lee, who wrote to the Board of Selectmen requesting that the Board of Selectmen hold a hearing on the removal of a dog by the name of "Rufus" from the premises of Mrs. Barbara Dawson. So that there will be no mistake as to the jurisdiction of the Board of Selectmen, I will read the following from the laws relating to dogs under the laws of the State, Commonwealth of Massachusetts, under Section 157 which states: If any person shall make a complaint in writing to the Selectmen of the Town, The Chief of Police of a City, or the County Commissioners, that any dog owned or harbored within their jurisdiction is a nuisance by reason of vicious disposition or excessive barking or any other disturbance or that any such dog by such barking or other disturbance is a source of annoyance to any person residing in the vicinity, such Selectmen, Chief of Police, or County Commissioners, shall investigate or cause to be investigated such complaint, included in examination on oath of the complainant and such order concerning the restraint or disposition of such dog that they may deem necessary. Within ten days after such order the owner or keeper or such dog may bring a petition to the district court within the judicial district of which the dog is owned or kept, addressed to the justice of the court, praying that the order may be reviewed by the court, and

Hearing - Rufus - con't.

after such notice to the officer or officers involved as the court may deem necessary it shall review such action, hear the witnesses and affirm such order unless it shall appear that it was made without proper cause or in bad faith, in which case such order shall be reversed. The decision of the court shall be final and conclusive upon the parties. Any person owning or harboring such dog who shall fail to comply with any order of the Selectmen, Chief of Police, County Commissioner, or District Court, as the case may be, shall be punished by a fine not more than ten dollars or by imprisonment for not more than thirty days or both. Mr. Lannan stated that a letter was sent from Mr. & Mrs. Leon J. Duff of 8 Longmeadow Road, Chelmsford, to the Dog Officer of the Town of Chelmsford. The letter dated June 16, 1972, stated as residents of 8 Longmeadow Road, we again register a complaint. As previously reported to your office, directly opposite our home a german shepherd dog, chained consistently outside the Dawson dwelling at 5 Longmeadow Road, barks incessantly days, evenings, during the night, and howls during the very early morning hours. His barking and howling disturbs the entire neighborhood. His owner, absent from the home often, is unresponsive to any direct communications that her dog is disruptive or disturbing to neighbors. Thus, children in adjacent homes or working persons, such as ourselves, cannot sleep at night - nor can we enjoy any sense of peace or tranquility at any other time in a town where we are heavily taxed for the privilege of residing. We are aware that there have been other telephone calls and letters of complaint to your office and to the police, yet this neighborhood disruption persists. Please be advised that our next letter will be directed to the Board of Selectmen in the nature of an appeal or hearing. Disturbed neighbors have indicated an intent to have this complaint dealt with. There has been no attempt to control and keep this dog quiet. As working persons and citizens of Chelmsford, we would appreciate some definite action. If this request cannot be met, we have little doubt that we can gain neighborhood support for an appeal to the Board of Selectmen for action that is justly deserved and long overdue. Copy of this letter sent to the Board of Selectmen.

Mr. Lannan stated that the latest complaint upon which this hearing is based is one made by Mrs. Lois Lee. Mrs. Lee sent a letter to the dog officer which stated - In June of 1971, I made a complaint by telephone that I had been attacked by this dog "Rufus" then a puppy during a conversation with the owner and the owner wasn't able to control the dog and I was forced to run as the owner tried to restrain him on his leash; as a result my legs were scratched and bitten up to my knees. Since this incident, this dog has attacked and bitten many other persons. The dog is violent. My son can't play with his friends in his own yard area, because the dog is barking continously and pulling his chain...the dog has enough strength that he can break the chain forcing the children to run for cover. No one in the neighborhood can feel free to enter or leave their houses, have visitors, or work in the yards without this dog barking and growling at them. The dog is left out doors all day and all night, and at night the dog is barking and whining giving one restless and sleepless night. Complaints to the owner have been fruitless. I trust that you can get in contact with the owner and settle this situation, so that it won't be necessary for any further complaints. Thank you. This letter was dated April 23, 1972.

On June 29th, 1972, the Board of Selectmen sent a letter to The dog officer regarding the letter received from Mr. & Mrs. Duff of 8 Longmeadow Road. The members, at their regular meeting, held June 26th, 1972, requested that an inquiry be sent to you to learn if the problem cited has been resolved. The Board, asks if you have conferred personally with members of the Dawson Family of 5 Longmeadow Road, and if so, have they agreed and succeeded to control the nuisance? Also, have you contacted the Duff family? If you have not met with the Dawson Family, will you plan to do so as soon as possible? Please file a written report about this subject promptly, as the Board has expressed a wish for immediate information. The Board may plan a hearing on this subject if your report warrants same. Please advise as quickly as possible. Thank you.

On July 27, a letter was received by the Board of Selectmen from Victor R. Lee, 3 Longmeadow Road and the letter stated: Last evening, on July 26, 1972, at approximately 7:40 in the evening my daughter, Victoria, was attacked by Mrs. Dawson's

German Shepherd. This attack, which was unprovoked and which occurred while my daughter was riding her bicycle in front of our home, resulted in the skin being broken in three places (on the lower left side of her back, left wrist, and back of the right leg) and was witnessed by my wife, several neighbors and two police officers. The officers had been in the process of removing this animal from Mrs. Dawson's premises when he broke away and ran towards Victoria. My daughter got off her bike and stood still so as not to provoke the dog by further movement but this did not help. Later in the evening Victoria was treated at the emergency clinic of Lowell General Hospital by Dr. Hessman. The officers have made a report of this incident which is on file at the Police Station. As you may know, the dog Rufus, has been a menace to our neighborhood for the past year. When tied out back in Mrs. Dawson's yard he often breaks loose, chases children and threatens adults. On April 23, 1972, my wife, Lois, made a written complaint to the dog officer, Mr. Wojtas, concerning the threat this animal represents. She, herself, was bitten and scratched by this animal in June, 1971, while he was still less than full grown. It has been the impression of my neighbors and I that the animal should be removed from the neighborhood but no amount of petitioning seems to result in satisfactory action being taken. After last evening's incident, I can tell you that I am extremely disturbed as I regard it as a narrow escape which could have resulted in my daughter's being seriously disfigured or injured. If there is a way to take court action against Mrs. Dawson because of her repeated carelessness, wilful or otherwise, I will certainly do so. In the meantime, on behalf of myself and my neighbors, I wish to register the strongest possible complaint and feel that Mrs. Dawson should be restrained from having Rufus or any other dog with which she can create a neighborhood nuisance. Mr. Selectmen, I am writing to you rather than to the dog officer, as I feel that you will be in a better position to see that some action is taken. I am willing to discuss the situation with you or anyone in the town administration that you suggest. Thank you for your attention in the matter. Do not hesitate to get in touch with me if needed, but do take some action.

Hearing - Rufus - con't.

The Selectmen's Office called Mr. Wojtas regarding dog complaint. He said he would go out to see Mrs. Dawson of 5 Longmeadow Road, owner of the dog, and after investigation, will call office regarding the situation, and will also send in a written reply.

On August 8th, 1972, a letter was received by the Board of Selectmen, Subject: Rufus, Owner, Mrs. Barbara Dawson, signed by twenty-two residents residing in the area of Longmeadow Road which stated: We, the following residents of this neighborhood wish to file a complaint against Mrs. Barbara Dawson in relation to her dog-Rufus; We are asking the Board of Selectmen to assist in obtaining protection for our children, friends and selves from any further attacks from her dog. This dog is a vicious animal, who terrorizes the neighborhood and there have been numerous incidents of attacks on children and adults. This dog also barks and whines much of the time thereby disturbing the peace. Complaints to Mrs. Dawson are fruitless and the dog officer has not been able to take action in this situation. This the the third dog of Mrs. Dawson's that this neighborhood has had to cope with these incidents. Mrs. Dawson has shown that she is not capable of handling the responsibility of ownership of any dog. We are asking that the Board of Selectmen request Mrs. Dawson to give up this dog and that Mrs. Dawson be denied ownership of any future dogs until such time as she can provide adequate protection for the neighborhood against harm or disturbance from such dog.

At that time, we asked Mr. Wojtas, Town Dog Officer, to make an investigation and we had a reply from our Administrative Assistant, at that time, that Frank Wojtas reported to me today that Officer Robert Auger has taken the dog "Rufus" away from the property of Mrs. Barbara Dawson. Mr. Wojtas will give us written notice of this fact within a day or so. They have been working with Mrs. Dawson so that she would approve this removal. Finally today it was accomplished. Thus, we will not need any hearing. I will so notify Mr. and Mrs. Lee of these facts. Dated August 10, 1972.

Hearing - Rufus, con't.

On August 14, 1972, we received a communication from the Dog Officer stating that the dog "Rufus" owned by Mrs.Dawson of Longmeadow Rd. was removed by Officer Robert Auger on August 10, 1972. The dog is no longer on the premises. At that time, we sent notification to Mr. & Mrs. Lee informing them that the dog was removed from the premises of Mrs. Dawson on August 10, 1972. We will appreciate it if you will so kindly notify the other signers of the petition, so they will learn of this fact. Thank you. The fact meaning, at that time, that we would not be holding a hearing.

On September 4th, 1972, a letter was received from Mr. & Mrs. Lee stating that we received your letter of August 15, 1972, informing us and our neighbors of the removal of the dog Rufus from the premises of Mrs. Barbara Dawson, but it now appears that Mrs. Dawson has brought this dog back into the neighborhood on Saturday, September 2, 1972. This dog was removed by the K-9 Officer because of his viciousness but we are now anticipating more difficulty. You may not have been aware that Mrs. Dawson intended to bring this dog back. The neighborhood had the impression that the removal of this dog was to be a permanent and not temporary. We would appreciate it if the Board of Selectmen would look into this situation again in view of the attacks that have occurred in the past. Thank you.

A letter was received from Frank Wojtas, Dog Officer, stating; The hearing that was cancelled regarding the dog owned by Mrs. Dawson of 5 Longmeadow Road, should be rescheduled as she has the dog back in the neighborhood. She brought the dog back Saturday, September 2, 1972.

On September 18, 1972, The Selectmen sent a letter to Mrs. Dawson which stated: Notice is hereby given to you that the Selectmen have received a written complaint from Mr. and Mrs. Victor R. Lee, of 3 Longmeadow Road, against a dog owned by Mrs. Dawson of 5 Longmeadow Road. The complaint has been investigated by the Dog Officer. The Board of Selectmen, now order that a Public Hearing be held on this complaint. The Public Hearing will be conducted on Monday, October 2nd, 1972, commencing at 8:00 P.M. at the Selectmen's Office upstairs, Center Town Hall, at which time all the parties involved will be heard. We urge you to plan to be present. The Dog Officer will be requested to also be present.

Mr. Lannan stated that the conduct of this hearing will be such in that we will hear from the complainants, the Dog Officer, Officer Auger, and Mrs. Dawson.

Mr. Lee stated that the evidence was presented quite well by the Selectmen. The letters and complaints gave a good history of the happenings according to Mr. Lee. He spoke of the attack on his daughter, Victoria, claiming that at the time she did nothing to cause the animal to attack her. The wounds were superficial but Mr. Lee claimed they could have been more serious. He claimed Mrs. Dawson's efforts to restrain the dog had been unsuccessful and it had been obvious since the time the dog was a pup he was a nervous dog. Mr. Lee concluded by stating the dog was a menace to the neighborhood and should be removed. Mr. Lee wanted to add one more thing, that his wife was attacked by this dog while it was still half-grown. Mr. Lannan asked if his wife had received medical attention. Mr. Lee stated she did not. Mr. Lee stated that his daughter had received medical attention.

Mrs. Lee stated that since the dog was back in the neighborhood, Mrs. Dawson had attempted to keep it in the house but when she was away, her boys would bring it out. Once when the older boy was walking the dog, he nearly attacked a youngster on a bike and the only way he could be held was when the Dawson boy put his arms around the dog's neck. Mr. Lee stated that her children carry HOLD in fear of a dog attack.

Mr. Wojtas stated he had talked to Mrs. Dawson and told her he would find a home for the dog. She would not give Rufus up and so Mr. Wojtas asked for Officer Auger's help. The dog was brought to the dog officer's home. Mr. Wojtas stated that three of his children were left alone by the dog but another seemed to create hostility within the dog. Mr. Wojtas stated that at times the dog showed viciousness

Hearing - Rufus, con't.

Mr. Auger, who is the K-9 Officer for the Chelmsford Police Department, stated he was merely involved in trying to help someone. Mrs. Dawson had called him asking if he needed a dog but at the time he did not. He offered to look for a home for the dog. Another officer stated he wanted a dog, but when he went to the Dawson home and when he saw Rufus attack Victoria, he changed his mind. It was then the Dog Officer asked for help, and Officer Auger went to Mrs. Dawson and she said it would be all right to take the dog. After they took the dog, Mrs. Dawson changed her mind and started calling Officer Auger's home and the Police Station asking for the dog back. Officer Auger said he heard she got the dog back. When Mr. Lannan asked if he were an expert concerning dogs, Officer Auger said he was a trainer. Mr. Lannan asked him if he thought the dog was vicious, Mr. Auger replied, not by breed but by handling or mistraining, he tends to become vicious. It was brought out in later testimony by a neighbor, the Dawson children had placed garbage pails over the dog's head and beat it. Mrs. Lee said the children also urinated on the dog.

Mr. Duff stated that his major complaint was the barking. He said Mrs. Dawson was never available to speak to so he had written to the Selectmen. He had seen no attacks but his wife had spoke of seeing the aftermath of the attack on Victoria and had seen other children knocked down by the dog.

Mrs. Dawson, speaking on behalf of the dog, stated she had received no complaints from any neighbor except Mrs. Jewell. She said that she did have an unlisted number but people could come to her home and talk to her. She stated that when Officer Auger took the dog, she had asked him not to do anything until the morning as her boys were very upset. The only reason she had consented to allowing the dog to be taken was because someone had told her the dog may be destroyed as the result of the hearing. Mrs. Dawson said the dog is restrained at all times but has on occassion gotten loose from her boys. She claimed the dog would not have attacked Victoria if she had not screamed. Mrs. Dawson said that Victoria and her mother were afraid of dogs but this should not condemn the dog. She mentioned that Rufus is the son of Rogue, Chelmsford's Police Dog. In referring to the petition, Mrs. Dawson commented that at least three people who had never seen Rufus. They told her they signed the petition as preventive medicine.

Mr. Howard Cervantes told the Selectmen that 1 year ago, his son was bitten. They had called Mrs. Dawson but received no results so he filed a report of the incident with the police. He spoke of hearing children screaming and going outside to see the dog with teeth bared. Donald Jewell also told the Board, he had saved a child by placing his bike between the child and the dog. Mrs. Jewell commented on the fact that children look on dogs as friendly and the damage would be if they approached Rufus. Also, recorded as asking for the dog's removal were; Clifford Choquette, Marcelle Choquette, Elaine Choquette, all of 12 Longmeadow Road, M. Lorene Kleiner, William Kleiner, Maureen Evans.

The hearing will be taken under advisement and a decision will be made.

Home Rule Advisory Committee Report

Report of the Home Rule Advisory Committee - Members of Committee present at the meeting were: William Murphy, Chairman, Charles Mitsakos, Robert Stallard, and Gerald Silva. Mr. Murphy stated that there were 3 issues they would like to bring before the Board this evening. 1. 100% Evaluation - Mr. Murphy said that Chelmsford would lose some Cherry Sheet Money, but the Town will not be hit as hard as some other communities. The Committee recommends legislation be drafted to enforce 100% evaluation across the State. This legislation must be filed by the 1st Wednesday in December. Selectman Humphrey moved to authorize the Committee to prepare legislation as described in outline. Selectman Hart seconded the motion. 2. The new Municipal Fiscal Cycle - Mr. Murphy informed the Board that many Town Officials had already attended meetings explaining the impact of the law. The Committee has tentatively scheduled a meeting for October 17th at the High School Auditorium at 8:00 P.M. The Committee is presently working on the agenda for this meeting. The Mass. League of Cities and Towns are attempting

Home Rule Advisory Report con't.

to repeal this law because of the great burden it would place on the homeowner during the first year of implementation. The meeting has been set to familiarize all Town Committees with the new law in case it is not repealed. Mr. Lannan read a letter from the City of Peabody to repeal the law. Mr. Murphy stated that the Committee had prepared a handbook for Town Committees. The handbook outlines the limits and duties of appointed committees in Town and provides them with much hard to get information that would make for a better performing committee. He requested the Board to review the draft and make any suggestions for the final draft of the handbook. Letter on Meeting for Fiscal Cycle Change to be drafted by Home Rule Committee and sent out to Committees from Selectmen's Office.

Letter from Attorney McCarthy - Ronald Pare

Attorney Clement McCarthy, Town Counsel, sent a communication to the Board relative to case of Town of Chelmsford vs Ronald Pare of Ronnie's Garage. According to Pare's records, he is not in contempt. Mr. Pare stores cars for various insurance companies for a period not exceeding 45 days. The cars are sold by the insurance companies and Mr. Pare has no title on the cars. The case has been continued to October 24th, 1972. Mr. Humphrey stated that the Board should review affidavits from insurance companies.

Norman Moray, Resignation from SHARE

Norman Moray resigned from the Board of Directors of Share but wished to remain a member of the Drug Abuse Task Force. Mr. Hart requested a letter of recognition be sent to Mr. Moray and also state that he would remain a member of the task force. Mr. Humphrey seconded the motion.

Bids for High School Bond Issue

Sealed bids would be opened and read for bond issue for new high school on Thursday, October 12th, 1972, at 11:00 A.M. at the State Street Bank and Trust Company, Boston, Mass. The Board agreed to have Mr. Humphrey represent the Selectmen at the bid opening and requested Philip McCormack, Town Treasurer by notified.

Pole Location Hearing Richardson Rd.

A Hearing was held on pole location for Richardson Road. There were no abutters present. Also, there was no representative from Mass. Electric present. The petition was approved and signed by the Selectmen. Mr. Humphrey moved to approve, Mr. Hart seconded. A petition for relocation of pole 39/2 to 194/38 on Crooked Spring Road was approved by the Board. Mr. Markham, Clerk of the Board, signed the petition. Mr. Humphrey moved to approve, Mr. Hart seconded.

SHARE Proposal Locate Anabasis House at Middlesex County Training School

Share proposal for Anabasis House to locate at the Middlesex County Training School was received. Mr. Lannan stated that this should be a good location and he would approve the proposal from Share. Mr. Hart stated that we should help the young people anyway we can, I am definitely in favor. Mr. Humphrey stated that he was wholeheartedly in agreement with Mr. Hart and Mr. Lannan. The Board should approve the Share Program. We can not turn our backs. Mr. Markham stated that he recommended the proposal at this time, but he thought that we should have an open meeting with the residents around the Middlesex County Training School area, in order to allow the people to ask questions about the Share Proposal and Anabasis House. Mr. Humphrey moved that a letter be sent to the Middlesex County Commissioners advising them that the Chelmsford Board of Selectmen are in favor of the proposed relocation of Anabasis House to be located on the grounds of the Middlesex County Training School in accordance with proposal from Share. Mr. Markham requested that a letter be sent to Share requesting that the Board be advised of any changes in the proposal. Mr. Hart seconded the motion.

Vote to remove Rufus

Mr. Hart stated that regarding the hearing held this evening on the dog "Rufus", owned by Mrs. Dawson, I move that the dog be removed. Mr. Markham seconded the motion, and amended the motion to have the dog officer impound the dog for a period of not more than 14 days awaiting Mrs. Dawson's disposition for disposal of the dog. Mr. Lannan stated that there is a 10 day appeal and also it is intended that the dog never be returned to the premises. Mr. Humphrey disagreed with the motion stating that Mrs. Dawson should be allowed to keep the dog for a period of not more than 30 days in order that she may arrange something to be done with the dog. Mr. Hart said it was imperative for the safety of the children to have the dog removed at once. A vote was taken - motion passed 3 to 1. Selectman Humphrey voted against the motion.

He disagreed with method not the means.

Mr. Lannan stated that last week we had a hearing on an application for storage of 49,000 cu. ft. of hydrogen, and were awaiting reports from the Building Inspector and Fire Chief before making a decision. These reports are in. The letter from Peter McHugh, as follows: This letter is concerning our meeting of Sept. 26, 1972, re: S.T.C. on Katrina Rd. After inspecting same, I found that the claim that Cyanide barrels are stored outside the building is completely false. These are washed out barrels that they receive from a Chicago firm which they use to ship scrap metal to be smelted down. The empty Cyanide barrels are handled in the same way as they are washed out and reused. There is no sign of any irregularities on the premises. Fire Chief Reid had covered the situation very well, as all red label barrels or cartons which Cyanide or Muriatic Acid would be in are locked in a metal building which he had asked them to construct previously, which they have done. I see no violation.

Letter from Bldg. Insp. Storage of Hydrogen

Fire Chief Reid's letter stated with regard to the application from K.S.C. Company, Chelmsford, to store hydrogen gas, the original application was submitted to me in March, 1972. I informed the company at that time that a license would not be approved by me until an improvement in hydrant locations was made. This has now been done at a cost of several thousand dollars. As this is the first installation of this type in the Town of Chelmsford, I contacted the State Fire Marshal's Office in Boston requesting assistance. He, in turn, sent his Chief Engineer Joseph Lawlor. Deputy Chief Edward Quinn, Mr. Lawlor and myself met with the company officials and went over every aspect of this operation. We were completely satisfied that it meets all state safety requirements. I also checked to see if there are any other installations of hydrogen gas in the area and found that there are. After personally visiting one of the installations and also checking with the local fire department, I find there have been no problems. Based on my research and all facts made available to me, I feel this will be a safe operation and recommend it be approved.

Fire Chief recommends approving hydrogen application

Before the meeting, two people came into the meeting room with petitions regarding this matter. I told them it would be unfair for the Board to accept additional information from the opponents without giving the proponents a chance to speak and that the Board would have to vote to accept the new evidence. Mr. Lannan also stated the Board, at the hearing held previously, declared the hearing closed. Mr. Markham moved to accept petitions for tonight only. Mr. Hart seconded the motion. The Board should accept all evidence until such time as the Board makes a decision. Mr. Hart said that the proponents should be notified of this action. Mr. Lannan then presented a manilla envelope which contained additional evidence from the proponents. This new evidence has been given to me this afternoon. I informed the proponents I could not accept the evidence without the vote of the Board. Mr. Markham said he would allow this to be in his motion. Selectman Hart moved to re-open the hearing. Mr. Humphrey moved that the first hearing be declared null and be set. Mr. Hart seconded the motion. Mr. Lannan said he did not know the legal ramifications of re-opening a hearing after the Chairman had declared it closed. Mr. Lannan also requested that no action be taken on license until Mr. Doody was present. Mr. Humphrey stated he would abstain from voting on the license until he attended a hearing. Mr. Markham stated he could not see why the hearing could not be re-opened rather than having a new hearing. Mr. Hart moved to declare the first hearing null and void, Mr. Humphrey seconded the motion. A lengthy discussion followed regarding the hearing.

Accept addt'l. information hydrogen hearing

Declare first hearing null and void

Mr. Humphrey welcomed Jesamyn House to the Selectmen's Meeting and requested her name be included in the minutes of the meeting and said Jesamyn is one of the youngest people to attend a meeting. She is 7 weeks old. I hope she might take the time when she gets older to look up the minutes of this meeting to see her name.

Jesamyn House welcomed to Selectmen's Meeting

Mr. Hart moved to adjourn. Mr. Humphrey seconded the motion. The meeting was adjourned at 10:15 P.M.

Meeting Adjourned

For the Board of Selectmen,
by Evelyn M. Haines

Stenographer-Clerk Appointed

Marion McCready has been appointed Stenographer-Clerk for the Board of Selectmen. Mrs. McCready is 30 years old, has two children, and lives at 3 Buckman Drive, Chelmsford.

Members present

Regular Meeting of the Board of Selectmen held October 11th, 1972, at 7:30 P.M. Members present were Mr. Lannan, Chairman, Mr. Hart, Mr. Humphrey, Mr. Doody (8:45 P.M.), and Mr. Markham (8:00 P.M.). Mr. Lannan presided.

Reporters present

Members of the press who attended the meeting were:
Chelmsford Sentinel: Mr. Jerry House.
Chelmsford Newsweekly: Mrs. Martha Proudfoot.
Lowell Sun: Mr. Jacobs
Newsweekly Photographer: Rick Manning.

Letter from Mrs. George Smith - Twiss Road

Mr. Lannan read a letter from Mrs. George Smith of 7 Twiss Road concerning part of Twiss Road being on her property. Mr. Lannan stated that Mrs. Smith had a legitimate presentation to the Board as over the course of the years and the widening of Twiss Road, the Highway Department has allegedly encroached on Mrs. Smith's property about 20 feet or so. This came before the Board about a year ago, and the Highway Department was asked to investigate this. The Highway Department will be asked to survey this land and relocate the street to its proper bounds.

Proclaim "Help Light The Way Sunday"

At 7:45 P.M., Mr. William Dugan, President of the Chelmsford Jaycees, Jacob Sartz, and Jerry Lee, asked Mr. Lannan, Chairman, to read a proclamation which read "WHEREAS, the Massachusetts Jaycees and the Chelmsford Jaycees sell products manufactured by the retarded and WHEREAS, the sale of these products provides a major source of income to the Nauset Workshop for the retarded and WHEREAS, the income from the sale of these products also aide the operation of local facilities for the retarded such as Camp Paul, THEREFORE, We, the Board of Selectmen of the Town of Chelmsford do hereby proclaim Sunday, October 22nd, as "Help Light the Way Sunday" and urge all citizens of our community to support the Jaycees in their efforts to raise monies for the retarded." Mr. Hart made a motion in favor. Mr. Humphrey seconded. Mr. Lannan bought and lit the first candle.

Police Dept. Article for the next Town Meeting - Salaries

A letter was read from Robert E. Germann, Chief of Police, with a copy of Chapter 44 Section 53 C of the Mass. General Laws. Mr. Germann is requesting at this time, that the Board insert this article in the Town Warrant for action at the next Annual Town Meeting. All Police Departments have been notified by the IRS that it is the duty of the Cities and Towns to deduct withholding taxes from wages earned from working outside details, as well as from their regular salaries. (Outside details include cinema, drive-in, etc.) The IRS has stressed that in the future they intend to enforce this procedure. The police chief will have to hold that portion of the police officers salaries. Chapter 44-Section 53C. Fund for payment of police officers for off duty work details. In any city or town which accepts the provisions of this section, all moneys received by it in payment for off duty work details of members of its police department shall be deposited in the treasury, shall be kept in a separate fund by the treasurer apart from any other of its money, funds, or other property, and shall be expended without further appropriation at the direction of the chief of police or other officer having similar duties for the purpose of paying its police officers for such off duty work details, notwithstanding the provisions of Section 53. Mr. Hart moved that the Board insert this article in the Town Warrant for action at the next Town Meeting. Mr. Humphrey seconded.

Parlmont Realty Parking Spaces Violation

Mr. Lannan read a letter from the Building Inspector regarding parking facilities at the U.S. Government Post Office. Mr. McHugh investigated the parking facilities and in his opinion they need 38 more parking spaces, to conform with the Zoning By-Laws of the Town of Chelmsford. Mr. Hart stated that it was the responsibility of the owners, Parlmont Realty Trust, to provide the needed parking spaces. Mr. Humphrey asked that the Board instruct the Building Inspector to notify the owner to conform with the Zoning By-Law. Mr. Lannan will meet with the Building Inspector and instruct him to immediately inform the Parlmont Realty Trust they are in violation of the zoning by-law.

A letter was read from the owner of the Mai Kai requesting the renewal of their Sunday entertainment license. Mr. Hart made a motion for this renewal. Mr. Humphrey seconded the motion.

Mai Kai - Sun. Entertainment License Renewal

Mr. Lannan read a letter from Senator Kennedy with regard to the impact of revenue sharing in Massachusetts. He informed the Board that the Federal Revenue Sharing Act had passed the Senate-House conference committee and he was hopeful of final Congressional action very soon. Mr. Lannan also read a letter from the National League of Cities and Towns in regard to the Federal Revenue Sharing Act which stated that Chelmsford would receive $240,355. Mr. Lannan stated that he was disappointed with our share. Lowell gets $2,000,000 and Billerica, which is of comparable size to Chelmsford, gets $512,266. Mr. Humphrey suggested the Board ask the Town Accountant to explain the formula as to how the revenue sharing works. He can break it down by population, revenue, tax structure. Why are we in the classification of getting so much less than Billerica or even Tewksbury, $432,830. Dracut is getting $211,238 and it is a much smaller town. Burlington will receive $608,688.

Letter stating Chelmsford's share of Revenue Sharing Funds

Mr. Lannan read a request from Mass. Electric Company and New England Tel. & Tel. to locate fixtures for 4 pole locations. This requires a hearing. Motion made for a hearing for the 4 pole locations by Mr. Hart, seconded by Mr. Humphrey. Notify the abuttors of the hearing.

Request for pole location hearings

Mr. Lannan read a letter from a group of concerned citizens which stated: At your May 30, 1972 meeting, four months ago, a petition signed by concerned citizens and business people of Central Square was laid before you, concerning the deplorable condition of the buildings known as the Old Grain Mill at Cushing Place. To date, no action has been taken in implementing our urgent request for a thorough investigation of the property preliminary to condemnation and removal of this very hazardous condition. They also stated that a referral of their request was sent by you to the Fire Chief and to the Building Inspector and they wanted to know what was their report. Also, what is being done at the present time in this matter. Mr. Lannan could not recall the petition from last May 30th. Mr. Hart informed him that we were going to request the Building Inspector to inspect these buildings and see if the buildings should be condemned. Mr. Lannan asked that a memo be sent to the Building Inspector to discuss this with him. We will act upon the conditions that he finds.

Old Grain Mill petition

A letter was read addressed to Peter J. McHugh from Mr. Donahue, copy of letter to Clement McCarthy, Town Counsel, regarding the Neighborhood Mall on Chelmsford Street/Land of Raymond Cayre, River Meadow Brook, from Donahue and Donahue. The Board agreed to forward this letter to Town Counsel for his determination.

Neighborhood Mall on Chelms. Street

A letter was read from Mr. Stephen Wojcik asking that he be made a special employee of the Town. He stated that he must have this status to do business for the Town. Motion was made by Mr. Humphrey that the Board classify Mr. Wojcik as a special employee of the Town, and that we so notify the Town Clerk. Motion seconded by Mr. Hart. Mr. Markham stated that these transactions for the Town have to be filed with the Town Clerk. We will notify the Town Clerk and notify Mr. Wojcik.

Classify S. Wojcik Special Employee

The Home Rule Advisory Committee would like to have a special meeting at the High School. Mr. Lannan requested that the Committee devise a letter we could send out to all of the Town Boards, Departments, and Committees for a meeting on the New Municipal Fiscal Cycle Law. He requested that this letter be put on the Selectmen's letterhead.

H.R.A.C. Special Meeting

The Planning Board sent a letter to the Selectmen to notify them that they will meet the 1st and 3rd Wednesday in each month, instead of Monday. The Board of Selectmen's staff is now being located in the room where they held their meetings. Mr. Lannan stated that we will have to remember this when we have a holiday falling on a Monday.

Planning Bd. will meet 1st and 3 rd Wed.

Appointments to Conservatio Commission

Mr. Lannan stated that there are two vacancies on the Conservation Commission. Three people have applied for these two vacancies, John McCormack, Donald A. House, Frank Siraco. Mr. Humphrey moved to appoint Mr. House and Mr. McCormack to the Conservation Commission. Mr. Hart seconded the motion. We will notify them of these appointments.

Letter from John Balco commending Mr. T. Wirtenan

A letter was read from Mr. John J. Balco to Mr. Thomas Wirtenan, copy of letter to the Board of Selectmen, thanking Mr. Wirtenan for his efforts in planting trees on the Crooked Spring Reservation. His quick response and willingness to overcome obstacles in achieving the objectives set is appreciated by the members of the Conservation Commission. Mr. Lannan stated that Mr. Wirtenan had been a leader of the Neighborhood Youth Corp. in the Town of Chelmsford. He has had 30 or 40 young people working in his project. Mr. Lannan agreed with Mr. Balco commendation.

Vacancy in the Police Dept.

A letter was read from the Police Department stating that they have a vacancy in their department. They sent to Civil Service for a list and the list came back with two names on it, Mr. Thomas Ryan and Mr. Robert G. Trudell. Mr. Ryan, first on the list, refused. Mr. Trudell accepted this appointment, October 13, 1972, effective date. Mr. Humphrey asked that the Police Chief hold on this appointment and if the Board desires, we could act on it tomorrow night. Mr. Humphrey wanted to know where Mr. Trudell lives. It was stated that a state wide examination was held recently and one of these will have to be appointed.

Request for Pole Location

A request for one pole location for Mass. Electric Company to provide service for the new high school on Richardson Road. No hearing is required. Mr. Markham will sign this request as Clerk of the Board. Motion for pole location made by Mr. Hart, seconded by Mr. Humphrey.

Investigate easement at 22 Sandra Dr.

Last week, we sent a letter to Mr. Rondeau, copy of letter received from P. J. McHugh, regarding an easement to investigate at 22 Sandra Drive. The stream was not being diverted. It was not a stream but an easement. No filling was being done and the easement is okay.

Hydrogen permit

Mr. Lannan stated that at this time last week, there was a lengthy discussion on the application of KSE for the permit to locate a hydrogen tank on their property. At that time, no action was taken because Mr. Doody was not present. Mr. Doody will be here by the time we have discussed our new business and I suggest that we make a decision on what to do on a request for this permit.

Bid Opening For High School Bond Issue

Mr. Humphrey asked how many other Selectmen planned to attend the Bid Opening on the new high school Bond Issue tomorrow morning. Mr. Humphrey asked that a motion be made to authorize Mr. Humphrey to approve the bid for The Selectmen and sign for them. Mr. Hart made the motion, seconded by Mr. Markham. The Town Treasurer and the Town Accountant will attend this bid opening. Notify Mr. McCormack of this meeting. All the Selectmen will sign the papers for the High School Project Loan Thursday night.

Steven Bentas Property on Proctor Rd.

Mr. Humphrey stated that along with Mrs. Smith's problem, we had a situation similar to this problem last Spring, regarding Mr. Stephen Bentas' property on Proctor Road. The Highway engineer was instructed to survey his property and the road was on his property. I thought we would take the necessary steps once the survey was taken. What has happened?

Nominations for Board of Appeal

Mr. Humphrey reminded the Board several weeks ago of an opening on the Board of Appeals. Mr. Humphrey wished to place the name of Mr. Thomas Firth in nomination. Mr. Humphrey stated that he is presently a member of the Planning Board. Mr. Firth would be of great value to the Board on zoning matters. I motion to appoint Mr. Firth as an alternate member of the Board of Appeals. Mr. Lannan moved to appoint Mr. Marshall Arkin, 24 Sierra Drive, to the Board of Appeals. He read an outline of Mr. Arkin's background. Mr. Markham moved to place the name of Mr. Timothy Sullivan as an alternate. Mr. Humphrey moved to appoint Mr. Firth, no second. Mr. Markham moved to appoint Mr. Sullivan, no second. Mr. Hart stated that he did not vote on any of these people because he would like to know more about their qualifications. He moved that the Board delay this appointment for one week. Mr.

Humphrey seconded the motion. Mr. Humphrey moved that nominations be closed, seconded by Mr. Markham. We will have more information on Mr. Sullivan at the next meeting for your review.

status of six additional men hired for tornado cleanup

Mr. Humphrey stated that some weeks ago during the tornado, 6 additional men were hired for a six week period of time. Mr. Lannan stated these people were hired for a twelve week period. Mr. Humphrey asked if the time has elapsed and what is the status of these men. Mr. Lannan requested that the Highway Dept. report on the progress that is being made.

Letter to Bd. of Health - 12 Pearson St.

Mr. Humphrey asked the Board's approval to send a letter to the Board of Health in regard to septic system matter going into a storm drain at 12 Pearson Street. Mr. Hart seconded. Mr. Gregorio brought this matter to Mr. Humphrey's attention of a broken storm drain and also septic matter.

Mr. Humphrey will not attend meeting next wk

Mr. Humphrey informed the Board he would not be attending next week's meeting. He will be in Washington on his own business. President Nixon has a problem!

Report on property at 321 Billerica Rd.

Mr. Markham stated that an inquiry was made to him from residents of Billerica Road. Several weeks ago, there was a meeting here with the Building Inspector, the owners of the property at 321 Billerica Road, and the residents of that area. The residents are waiting for a reply. Mr. Humphrey stated that he has informed Mr. Lambert, it is in the hands of Town Counsel. This is a limited industrial area, and they have opened up a business office in a family home. The Grandfather Clause on zoning would prohibit this. Mr. Lannan asked Mrs. Haines to take the folders and compile a list of correspondence that we are waiting for answers on. Mr. Markham stated that he had no other business at this time.

New Business

Mr. Lannan stated that he would like to ask the Board of Selectmen to ask the Highway Department why we have such a flooding problem at Fletcher and Chelmsford Streets. There were detour signs at the corner of Fletcher and Chelmsford streets last Saturday. Mr. Lannan stated that he will discuss this situation with the Highway Department tomorrow. He also stated that this corner diverts a lot of traffic to 129 and 110 and adds an additional load to that corner. Mr. Markham said there are other situations like this and he would like to suggest that we as a Board ask the Highway Superintendent to bring to our attention all of these situations that exist in the town and propose to fix these places throughout the Town where there is flooding.

Mr. Humphrey stated that the Town Clerk wanted additional counters for the Presidential Election. He thought this was an awful lot of help to be used. He asked that one of the questions be clarified, what constitutes a team? He also stated he couldn't understand why Mary St. Hilaire didn't want a team to count more than 150 ballots. Mary is talking about an additional 48 workers, a total of 168. Mr. Lannan asked if the Board would be in favor of asking Mrs. St. Hilaire to come before the Board. In the meantime, she can line these people up subject to approval. Mr. Markham stated that no more dollars will be spent with more personnel involved. Mr. Lannan stated that at the last Presidential Election, they didn't get through counting until 9:30 A.M. It didn't help with the extra people. Mr. Markham asked if the Board could discuss the subject tomorrow night, there are only a couple of weeks left before the election. Mr. Lannan stated that they came up with about 12 people to count for the primaries within 24 hours. The Board agreed to have Mrs. St.Hilaire come in next week.

Mr. Lannan asked if the Board desired to take up the question for the permit of KSC to store 49,000 cu. ft. of hydrogen. Mr. Hart stated that he was in favor of holding a new hearing on the storage and all information should be presented to a full Board until a decision is reached. We can make our decision with total knowledge of the use of said property. If we do not hold a new hearing, I also will not vote on the hearing held before. I request that we now hold a new hearing and that a motion to that effect be made. I would be glad if other members

New Hearing Scheduled for Hydrogen Storag

would put something into this motion. Mr. Hart stated that he would not vote on the decision now. Mr. Humphrey stated that he would abstain until such time as he hears all the evidence. Mr. Markham stated that as far as the first hearing, I feel as an individual member, I have heard sufficient information based on the original hearing to vote, but if the first hearing was to be declared null and void, there are two ways to approach this: open up the hearing or advertise for a new hearing. I would agree to have the written matter, not the verbal testimony, transferred over to another hearing because of the work both parties put in to the first hearing. I think that both parties have gone through somewhat of an inconvenience and I don't think it is necessary for them to reconstruct this evidence. Have all the material submitted at the first hearing be declared null and void and transfer the written testimony. Mr. Hart stated if the Board does feel fit to hold a new hearing, we should send a communication to the State Fire Marshall's Office asking for any information pertinent to the use of hydrogen throughout the State. Mr. Lannan asked that a letter be sent to the Fire Marshall's office requesting that someone from their office be present at the hearing. Mr. Doody stated that the question of safety and zoning concerned the residents of this area. He stated that a rehearing would be valuable. We should also find out about the use of furnaces between 11:00 P.M. and 7:00 A.M. at night and the concern the people expressed about barrels containing acid. What is going to be done about that? The fire alarm system is not tied in with the Fire Department. Have the company review their position of that. The Town has had very little experience with hydrogen and the Fire Marshall's office has had considerable experience. Bombings and bomb scares was also a fear mentioned by the people. This should be investigated prior to the hearing. I think this would be of some value to the community. We should get all the facts and have both sides present their evidence. Mr. Lannan stated that he had done research on his own and he was thoroughly confused about the safety of hydrogen gas. He read about hydrogen in encyclopedias, dictionaries, and at the library. He also stated that there are cars all around in the parking lot. Mr. Lannan said that he would be in favor of any new evidence being presented. Mr. Humphrey moved that the previous hearing be declared null and void and that the petitioners be notified for a new hearing and advertise the hearing to be held October 30th, 1972. All previous testimony and exhibits that were presented at the past hearing will be presented at the hearing and any additional evidence will be presented. Mr. Hart seconded the motion.

Mrs. Ethel Bellegarde, a resident of 7 C Street, present at the meeting, told the Board of a water problem on Glen Avenue from the movie theatre. She also stated there was no Stop sign coming out of Katrina Road near the nylon factory. Mr. Lannan told Mrs. Bellegarde that we will ask the highway department to check on this.

Mr. Doody asked if any members of the Board were going to attend the Mass. Selectmen's Association Meeting. Mr. Lannan, Mr. Humphrey, and Mr. Doody are going to attend this meeting. Mr. Doody asked if any action was taken on the revenue sharing program. He was disappointed in the amount Chelmsford received. Mr. Doody wanted Mr. Blackadar to give us the formula that was used to establish these figures. Mr. Doody stated that he had prepared a comparison sheet in which Chelmsford ranks ninth. Mr. Doody stated that one article of interest to him was the full and fair evaluation of property. Article 10 of the State-Wide Town Meeting Warrant (Appendix G), jointly filed by the Canton and Burlington Selectmen provides for a dollars penalty. Mr. Doody recommended that the Board of Selectmen vote in favor of full and fair evaluation and that the cities and towns be penalized if they do not do that. The Board voted in favor of supporting the full and fair evaluation of property and the cities and towns be penalized. Mr. Doody also recommended supporting Article 14 on the Mass. Selectmen's Meeting Warrant which provides that communities with unemployment exceeding 6% over a six month period may reduce any payments for sewarage and water pollution control facilities so as not to exceed 5% of the cost. Mr. Lannan stated latest figures for July and August show unemployment in this area to be slightly over 12%. They call us the Greater Lowell area. There are 212,000 people in the area, 94,000 are in the city of Lowell. The rest are in the surrounding towns. They always seem to refer to the city. Our unemployment rate is well over 12%. We should speak back to the legislators for spending dollars. The leaders in the towns will have to start squaking. The Board voted in favor of supporting Article 14.

Motion made by Mr. Hart to adjourn the meeting, seconded by Mr. Humphrey. The meeting was adjourned at 9:15 P.M.

Meeting Adjourned

For the Board of Selectmen,
by,
Marion E. McCready

At a meeting of the Board of Selectmen held October 12th, 1972, it was voted to authorize Mr. Howard Humphrey to represent and speak for the Board of Selectmen at the Bid Opening, October 12th, 1972, at 11:00 A.M. for the SCHOOL PROJECT LOAN, ACT OF 1948 BONDS, in the amount of $8,500,000 at the State Street Bank and Trust, Boston, Massachusetts.

Mr. Humphrey authorized to represent the Board at the Bid Opening

I, the Acting Clerk of the Board of Selectmen of the Town of Chelmsford Massachusetts, certify that at a meeting of the Board held October 12th, 1972, of which meeting all members of the Board were duly notified and at which a quorum was present, the following vote was unanimously passed, all of which appears upon the official records of the Board in my custody:

Voted that the sale of the following 4.40 per cent bonds of the town dated November 15, 1972,

$8,500,000 School Project Loan, Act of 1948
(Nos. 1 to 1700) payable November 15
$850,000 in 1973 to 1982,

to Goldman, Sachs & Co. & Associates
at 100.027 and accrued interest is hereby confirmed.
Dated October 12, 1972.

Regular meeting of the Board of Selectmen held October 16th, 1972, at 7:30 P.M. Members present were Mr. Lannan, Chairman, Mr. Hart, Mr. Doody, and Mr. Markham. Mr. Humphrey was in Washington, D.C. on business.

Members present

Members of the press who attended the meeting were:
Chelmsford Sentinel: Mr. Jerry House
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Lowell Sun: Mr. Jacobs

Reporters present

A letter was received and read by Mr. Lannan from George V. Nelson, Executive Secretary, Alcoholic Beverages Control Commission, stating the provisions of the Liquor Control Act insofar as they relate to the sale and delivery of such beverages on Veteran's Day, Monday, October 23, 1972, which is a legal holiday in Massachusetts. Mr. Hart made a motion to accept the provisions of the Liquor Control Act, Mr. Doody seconded the motion.

At 7:35 P.M., a conference was held with Mrs. Mary St. Hilaire, Town Clerk, Mr. John Emerson, Mr. Robert Noble, and Mr. Edward Hilliard, all members of the Board of Registrars regarding additional counters for the November 7th, 1972, Presidential Election. Mrs. St. Hilaire stated that she expects an 80% turnout of the voters. She requested 162 counters in all. There are 72 regular counters, and she would like to have 90 more counters. She stated that the cost for the September Primary was $2000.00. We now have $3113.00 in the Election Account. Mrs. St. Hilaire stated that if you work with a small crew and work long hours, they collect time and one-half, and if you work with a larger crew, they work on straight time. Each precinct would have a different size crew from 8:00 P.M. on. Small precincts would have 8 people counting, larger precincts would have 16 people counting. More people, fewer hours. If you have new people come in at 8:00 P.M., the faster they will get the counting done. Mr. Lannan stated, a few years ago, we tried the same thing, additional people, and they did not finish until 7 or 8 A.M. They worked for a flat rate

Request for Additional Counters for Presidential Election

Request for additional counters-con'd.

of $15.00 to count the ballots, they worked 12 hours, and it was to their benefit to finish counting earlier. Mrs. St. Hilaire stated she hoped to be finished by midnight. By adding more counters, you would cut down on the overtime by the custodians, policemen, and precinct workers, which would result in a savings of $900.00 minus $576.00. Mrs. St. Hilaire said she would like to cut down on the lapse of 6 to 8 hours between precincts. Some come in at 12:00 A.M. and some at 8:00 A.M. the next morning. Mr. Lannan asked what constitutes a team. Mrs. St. Hilaire said a team consists of two people counting, consisting of a Democrat and a Republican, a Republican and an Independent, etc.) Mrs. St. Hilaire explained that the ballots are broken down into blocks of fifty and each team would not be required to count more than 3 blocks or 150 ballots. Mr. Hilliard stated that an added benefit of new help at 8:00 P.M. would be that the workers who have worked all day are tired and they are bound to be blurry-eyed. Mr. Doody stated that he thought Mary and the Board of Registrars have put a lot of time in trying to figure out a way to get the Election results in earlier and he stated he would go along with them. They have done a good job in analyzing the cost. He hoped the count will be in by 2:30 to 3:00 A.M. With publicity and public spirit, they will be able to get the additional 90 people to come out and count. Mr. Doody stated it might be adviseable to send out instructions to the wardens. Mrs. St. Hilaire stated that Home Rule exists in each precinct. We are trying to get it more uniform. Mr. Doody moved in favor of the proposal. He knew of the concern of the Registrars to expedite the count. Mr. Doody moved that the request of the Town Clerk and the Board of Registrars be accepted for the additional hired help for the Presidential Election be approved. Mr. Hart seconded the motion. The press were asked to advertise for more people to count.

Princeton Lounge Sunday Enter. Renewal

A communication was read for the application for renewal of the Sunday Entertainment License for the Princeton Lounge. Mr. Hart made a motion that the license be renewed, seconded by Mr. Doody.

Highway Dept. negotiations for new contract

A letter was read from the International Union of Operating Enginners relative to the anniversary date of the Labor Agreement with the Town of Chelmsford Highway Department, which is December 31, 1972. In accordance with our agreement, we are hereby notifying you of our desire to revise the agreement by changing wage rates and such other conditions that we may agree to. We would like to complete negotiations before the above mentioned date. Mr. Lannan stated that it has been our custom in the past to appoint a member of the Board of Selectmen to conduct negotiations with the department for the Board of Selectmen. We should name a negotiator for the Selectmen so that negotiations can get underway. Mr. Hart asked to open up this matter for discussion. Was there a possible need for a labor negotiator for the Board or a Bargaining Agent? Mr. Lannan stated that we have $2,000.00 in the account for a negotiator if he is needed. The only time we needed one was the negotiations for the first contract, this is the fourth year. The money is in there if it is felt that a negotiator should be brought in. Mr. Hart made a motion to nominate Mr. Markham to represent the Town in negotiations with the Highway Department. Mr. Doody seconded. Mr. Hart stated his approval of the idea of hiring a negotiator to assist with the bargaining units. With the expanded Board, it would be beneficial to have two members of the Board sit at the table with the agents. As I observed last year, there were many members sitting at the other side of the table with their negotiator or attorneys. I think it would certainly be beneficial to have at least two members present. Mr. Hart and Mr. Markham asked how much would it cost to have a part-time labor relations advisor sit in. Mr. Doody stated that the fee was $25.00 per hour. Mr. Doody stated, from my experience and observations from last year, I think I would recommend that we do consider the advisor from the beginning. It would be much easier and probably put the Town in a better position to have this individual involved in all of the sessions right from the beginning. I would suggest it might even be more appropriate to consider this further tonight or to discuss it at our next meeting and all members should be able to make a decision. Mr. Hart stated, I would still like to keep my motion that Mr. Markham be the labor negotiator for the Selectmen. Mr. Doody stated that he thinks his position is known to the Board. The Town, in not employing a negotiator, is being "penny wise and pound foolish".

You have to have this man available from the start, not have him come in when it is too late. We have managed reasonably well without the backup to call upon. We are operating in three different bargaining units. It would be wise on the part of the Town to have a labor advisor. To not have a labor advisor does not serve the Town in the long run. I would like to hear Mr. Humphrey's opinion. Mr. Markham stated that he would like to ask at the next meeting when we discuss labor relations advisors, to have two members serve as the Selectmen's representatives. It would be much more effective and still in relationship to collective bargaining with these different departments. We could call on the two members who sat in on the bargaining sessions last year for their knowledge of conducting these negotiations. This knowledge and history will be immediately available to the management side of the bargaining table. Mr. Hart's motion to have Mr. Markham serve as representative for the Town was seconded by Mr. Doody.

Highway Dept. new contract cont'd.

A hearing was held on the application of William and Margaret Belleville, location of land at 16 Oak Street, use of land for gasoline storage, increase of gasoline storage from 1,000 gallons to 6,000 gallons. Mr. Belleville stated that the increase was asked so that he could buy the gasoline at a cheaper rate and it would be safer because it would cut the tank truck deliveries down from once or twice a week to once every three weeks. Also, the tank will be located about 20 feet from his present building. Mr. Belleville stated he intends to put in a new system, a new tank. The present tank is 14 years old. The tank would be underground. Mr. Lannan informed the Board the Fire Chief has given his approval on this matter. Mr. Belleville had notified all the abutters. No receipt was received from Tecon Corp. No abutters were present and no objections. Mr. Hart moved approval of the application of Mr. Belleville to increase the storage from 1000 gallons to 6000 gallons. Mr. Doody seconded the motion.

Belleville Hearing - Gasoline Storage Incr.

Mr. Lannan read a letter from the Palmont Corporation, 12 Old Stage Coach Road, Bedford, Mass. in which they stated they would like to obtain a Common Victualer License for the purpose of operating a fast food establishment. They have leased approximately 1,500 sq. ft. of store space at the Purity Shopping Plaza. Mr. Lannan asked if they had submitted a formal application for a license. We will take this letter as their formal application. The Board agreed to have Mr. Palmer and Mr. Montminy from the Palmont Corporation come to the next meeting of the Board of Selectmen, Tuesday evening, October 24, 1972.

Request from Palmont Corp. for Common Victualer Lic.

Mr. Lannan read a letter from Mr. Ronald A. Pick, owner of the American Ambulance Service, Inc., 111 Quebec Street, Lowell, Mass. Mr. Lannan requested that an appointment by made with Mr. Pick to discuss the preparation of a new contract for ambulance service for the Town of Chelmsford.

Letter from Am. Ambulance

A letter was read from the Police Department stating that Mr. Thomas Ryan, who was an interim patrolman in the Town of Chelmsford, has for the third time refused a permanent appointment. It was requested that we notify the Mass. Department of Civil Service that he has refused for the third time and his name is to be removed from the list.

Mr. Thomas Ryan-interim patrolman refused appoint.

A letter was received from Mr. McCarthy, Town Counsel, addressed to Mr. Lannan in regard to the Hale's Brook matter. Enclosed was a photocopy of Mr. McCarthy's opinion dated October 13, 1972, to Peter McHugh, Building Inspector, concerning the Hale's Brook Matter. Mr. McHugh called his attention to a letter written by the Town Counsel on March 20, 1972, addressed to the Conservation Commission, in which Mr. McCarthy stated that Hale's Brook and River Meadow Brook were the same stream of water and stated that a special permit under Section VI, sub-paragraph 6.9 must be applied for by Cayrex. Mr. McCarthy stated that it is my opinion that sub-paragraph 6.9 of Section VI of the zoning by-law does not apply to the subject land and to the extent my opinion of March 20, 1972, was in error. It is further my opinion that River Meadow Brook has a separate and distinct identification from Hale's Brook as referred to in the Chelmsford zoning by-laws, and that the low land regulations clearly apply to Hale's Brook and not River Meadow

Letter from Town Counsel Hale's Brook

Letter from Town Counsel Hale's Brook cont'd.

Brook. For the purpose of the low land regulations cited in Section VI, sub-paragraph 6.9, Hale's Brook must be defined as the stream designated as Hale's Brook on the zoning map prepared by Economics Development Associates, Inc. Mr. Lannan stated that the City of Lowell considers these two brooks as one but they are considered two separate brooks by the Town of Chelmsford.

Bldg. Insp. Rpt. for Sept.

The Building Inspector's Report was read for the month of September, 1972. There were 22 permits issued for a total valuation of $7,417,680.00. This included $7,300,000.00 for a new school.

Letter from Home Rule Advisory Comm. Legislation for 100% property evaluation

Mr. Lannan read a letter received from Mr. William Murphy, Chairman, Home Rule Advisory Committee regarding a plan to file legislation for enforcement of 100% property evaluation throughout the commonwealth, reference to a bill filed by Senator Ronald McKenzie in 1972 was made. The report detailed the progress of Senator MacKenzie's bill. House Bill No. 5317 by Mr. Vigneau of Burlington, petition of Robert A. Vigneau, Ronald C. Mackenzie and others that cities and towns be assessed a penalty for failure to assess property at full and fair cash value. Mr. Lannan stated that this bill 5317, actually died and became a part of bill 5317. The Massachusetts Selectmen's Association feels that persistency may get the bill passed. Mr. Hart stated that it was a late filed bill, and it didn't have the time to get the support. I think this would be good information to turn over to Mr. Doody. Mr. Doody stated that amendments might be made to the article at Saturday's meeting. He suggested contacting Mr. Murphy to see what suggestions he has for this article. Discussion was held about the fact that the assessed value was different for the cities and towns of the same size, about the distribution of revenue, where we just received $240,000. Mr. Doody stated that Burlington got $600,000 at full evaluation but Burlington has more industrial property.

Proclamation "Headstart Week"

Mr. Lannan read a Proclamation from Governor Francis M. Sargent proclaiming October 15-21st as "Headstart Week". Mr. Lannan asked that Mrs. St. Hilaire display this proclamation in the Town Hall.

Stop signs for Glen Avenue

Mr. Lannan read a request from residents of Glen Avenue. There is flooding in the area because of the storm drains and it is being investigated. Also, there is a lack of directional signs in the area. In reply from the Police Department, they have surveyed this area and recommend that a Stop sign be erected at the intersection of Glen Avenue and Katrina Road and one erected on Glen Avenue at the intersection with Chelmsford Street. Mr. Lannan asked if the Board desired to forward this to the Highway Department. Mr. Hart motioned to forward this request to the Highway Department, Mr. Doody seconded.

New Business

Mr. Doody requested that the Building Inspector look into the back stairs at the Town Hall. They are falling apart near the parking lot. He asked Mr. Markham if the boys at Nashoba could do the work. Mr. Markham thought they could. He also noted that lights should be installed for the parking lot in the rear of the Town Hall. There are lights from the Auxiliary Police building. Some type of lighting is needed outside. Mr. Markham stated that when the traffic survey was mentioned on Glen Avenue, he noticed, in addition to those signs, there appeared to be a lack of warning signals on the railroad crossing. Mr. Lannan requested that a letter by sent to Penn Central to investigate this and put warning signals at this crossing. At other crossings, there are signs that are back further on Town Property. Have they been put up by the Town or by the railroad? Mr. Lannan stated that he would discuss this with the Police Chief and the Highway Superintendent. Mr. Markham stated that he presumed the flashing signals were working.

Mr. Lannan stated that the Board of Appeals has an opening for an alternate member. The Board agreed to wait until the next meeting to make this appointment when Mr. Humphrey is present.

Mr. Lannan stated that he wanted to give credit where credit is due. With the additional help in the Selectmen's Office, replies are being sent to the different departments and we can take immediate action on these matters.

A motion was made by Mr. Hart, seconded by Mr. Doody, to adjourn the meeting. The meeting was adjourned at 8:30 P.M.

Meeting Adjourned

For the Board of Selectmen,
by, Marion E. McCready

Names of jurors chosen by Mr. Howard E. Humphrey on October 20th, 1972.

Jurors chosen

1. Doris I. Lombardi, 12 Lancaster Avenue, Chelmsford, Mass.
   (For Lowell Superior Court)
2. Claude F. Elden, 78 Gorham Street, E. Chelmsford, Mass.
   (For Lowell Superior Court)
3. John P. Burke, 12 Sycamore Street, Clelmsford, Mass.
   (For Cambridge Superior Court)
4. Ruth E. Lessard, 38 Smith Street, Chelmsford, Mass.
   (For Cambridge Superior Court)

Regular meeting of the Board of Selectmen held October 24th, 1972, at 7:30 P.M. Members present were: Mr. Hart, Mr. Humphrey, Mr. Markham. Mr. Hart, Vice-Chairman, presided. Mr. Lannan was attending a Naval Reserve Meeting. Mr. Doody was at work and out of Town. Mrs. Haines, Administrative Assistant was present.

Members present

Reporters present were: Chelmsford Newsweekly, Mrs. Ann Marie Kierce; The Chelmsford Sentinel, Mr. Jerry House; The Lowell Sun, Mr. Gus Webster.

Reporters present

Mr. Hart read a letter addressed to Mr. Lannan, Chairman, from Mrs. Lillian E. Gould, The Senior Citizens of Chelmsford, stating that the Senior Citizens were delighted that the contract for the Elderly Persons Lunch Program for Chelmsford has been signed by Mr. John Leff of the Executive Office of Elderly Affairs. Their main problem in helping to make this program successful, will be a lack of transportation. Would it be possible that a bus could be provided? Also, is there any way that transportation could be secured? Mr. Dane, President of the Senior Citizens was in attendance at this meeting to speak for the Senior Citizens. He stated that there was no way of getting these people to the lunches. There are over 4,000 Senior Citizens in the Town. Mr. Dane stated that they would probably need just one bus for the time being. He asked if some of the money from the revenue sharing could be set aside for the Senior Citizens. Mr. Hart stated it could not be spent on schools. Mr. Dane asked if it might help the Senior Citizens. Mr. Dane stated that a route from Dunstable Road to Vinal Square to West Chelmsford to St. Mary's Church would take care of transportation at this time. Mr. Dane told Mr. Markham the meals are held at the McFarlin School every Thursday and, at present, there are about 50 people attending these meals. Mr. Humphrey asked that Mr. Dane present a definite route that would be satisfactory to this group and what the cost would be. There may be some funds in the Council of Aging for this purpose of we could certainly ask the Finance Committee for some of this money. Mr. Humphrey requested a definite route on paper and how many days a week. Mr. stated that $1136.00 was appropriated, and he didn't think they have used that amount. Mr. Dane stated that he would get this information to the Board.

Request for transportation for Senior Citizens

The following people were appointed for replacements for the elections:

Replacements for elections appointed

Precinct I - Inspector, Andrea Harrington, Democrat.
Precinct 3 - Deputy Inspector, Lorraine Jeffrey, Republican,
Inspectors, Anna E. Hadley, Democrat; Lorraine C. Anderson, Independent.
Precinct 4 - Deputy Warden, Mary Lou Muller, Republican,
Inspectors, Katherine F. Mulgrew, Democrat; Dolores E. McGuire, Democrat.
Precinct 12 - Deputy Inspectors, Delia Loiselle, Deomcrat; Elizabeth Harrison, Republican.

Letter of thanks from DeWitt C. Armstrong, III for Army Appreciation Day

A letter was read from DeWitt C. Armstrong, III, Brigadier General, asking to convey to all the folks of the Town of Chelmsford involved in planning, organizing and carrying out this truly memorable Army Appreciation Day, our deep and lasting gratitude. We are proud to be your neighbors. Mr. Markham stated he thought there were other service organizations that should be noted. Mr. Hart asked that a list of people who did help out be compiled and a page be dedicated to them in the official meeting minutes. Mr. Hart stated that We, The Board of Selectmen, also wish to thank the 12 businessmen who sponsered the affair with their financial contributions.

Letter regarding Hghy. Dept. projects to complete this year

A letter was read from the Highway Department pertaining to the projects the Highway Department planned to complete this year. Reference was made to the Highway Department's letter dated May 15th, 1972, projects planned. All were completed except the drainage on North Road and the installation of the second section of drainage on Acton Road. North Road is being postponed because of the time the Highway Department spent cleaning up after the tornado. Also, due to the lateness of the construction season, it is imperative the Town start to prepare a stock pile of sand and salt for the snow and ice control. They are planning to install a catch basin at the corner of Southgate and North Roads.

Letter from Hghy. Dept. complaints received by Selectmen

A letter was read from the Highway Department regarding several complaints received by the Board of Selectmen. In regard to Parlmont Plaza, Mr. Conrad Kitson, Civil Engineer, is checking the layout and location of bounds at Parlmont Plaza. The hazardous condition at the intersection of Turnpike Road and Mill Road has been corrected. In reference to a letter from Marvin TeGrotenhuis, 154 Hunt Road, due to lack of funds and time, drainage consisting of two catch basins and approximately 350 feet of 12 inch R.C. pipe, is unable to be installed. Two safety signs (Children Crossing Ahead) have been installed behind the Adams Library.

Traffic Island West Chelms.

A letter was read from the Highway Department informing the Board that the changes at the traffic island in West Chelmsford at School Street and Main Street recommended by Sgt. Adams have been completed.

M. Recco, Jr. appt'd. Sp. Police Officer

Mr. Hart read a letter from Robert E. Germann, Chief of Police, asking that Michael Recco, Jr., 192 Groton Road, Chelmsford, be appointed as a Special Police Officer, to serve without pay from the Town, in cases of emergency. Mr. Humphrey moved on this appointment, Mr. Markham seconded the motion.

Dog Officer's Rpt. - Sept.

The Dog Officer report for the month of September was read as follows: 18 stray dogs picked up; 5 dogs returned to owners; 49 complaints investigated; 146 miscellaneous calls; 26 dead animals picked up; 1129 miles travelled.

Bicentennial Comm. request to file inc. papers

Mr. Hart read a letter from George Adams Parkhurst, Chairman, Chelmsford Bicentennial Commission, whereas at their meeting on October 10th, 1972, they voted to file incorporation papers. Since this commission is appointed by the Selectmen and operates under the Town of Chelmsford, can they use Town Counsel to handle this? The Board voted to allow them to use Town Counsel. They also wanted to know the official name, Commission or Committee?

Weight requirements for Fire Dept.

Mr. Hart read a letter from F. H. Reid, Fire Chief, regarding Civil Service eligibility requirements that the minimum weight requirement for the Fire Department is 135 lbs.

Proclamation for All Sports Booster Week

A letter was read from Mrs. R. E. Gamache, Corresponding Secretary, Chelmsford All Sports Booster Club, asking if the Board of Selectmen would proclaim the Week of Sunday the 29th of October through Saturday the 4th of November as "Booster Week". Mr. Markham moved that this week be proclaimed "Booster Week". Mr. Humphrey seconded the motion. Mr. Hart stated if there was a proclamation to be signed, they could bring it in Thursday for the Selectmen. Also, if they wanted any pictures, they could be taken later this week.

Postpone App't. Bd. of Appeals

The Board agreed to wait on appointments to the Board of Appeals until a full Board was present.

Letter from Mrs. Dowd regarding Bldg. Insp. Report on Trailers

Mr. Hart read a letter from Mrs. Thomas F. Dowd, 10 Temi Road, Chelmsford, in regards to Mr. Peter J. McHugh's report on trailers on property in her neighborhood. Mrs. Dowd's letter stated I am in receipt of a short note from your Administrative Assistant enclosing a photostatic copy of a reply from Mr. Peter McHugh, Building Inspector. I consider his letter to you untruthful and extremely sarcastic. Mr. McHugh was informed by me personally on the telephone, of my available hours, also in a note left for him by your former assistant. I still see the Postal Dept. in operation and I'm sure the Town can afford an eight cent stamp. It is a sad situation when one has to resort to the courts to have a zoning problem rectified. Mr. Humphrey asked if we had sent correspondence to her regarding this. Mr. McHugh has observed no violations.

Gail Mims Resignation Bd. of Appeals

Mr. Hart read a letter to the Board of Appeals, copy of letter to the Board of Selectmen, from Gail Mims in regard to her resignation from the Board of Appeals as clerk, effective December 1, 1972. Mr. Hart suggested that the Board send a letter to Mrs. Mims showing appreciation to her for the fine job she has done.

Trial-Town svs Pare

A letter was read from Clement McCarthy, Town Counsel, informing the Board of Selectmen in regard to the Town of Chelmsford vs. Wilfred Pare, the trial is presently scheduled for November 9, 1972, in the Middlesex County Superior Court' Equity Session at the Somerville District Court.

Revenue Sharing

Mr. Hart read a letter from the Town Accountant, Mr. Blackadar, in regard to Revenue Sharing. The initial check is expected about November 1st, together with broad guidelines as to the uses to which it can be applied. Instructions from the Bureau of Accounts to date indicate that this money is to be set aside in a trust fund similar to the Stabilization Fund and appropriations made therefrom by Town Meeting Vote. The formula for the current tax year is as follows: population times tax effort times per capita income. Tax-effort is the sum of Personal Property, Real Estate and Excise Taxes levied by the Town, less the amount devoted to schools. (No Revenue Sharring funds may be used for schools). Mr. Hart stated that this is the formula that we requested. I guess this is why we (Chelmsford) receive what we do. Mr. Humphrey stated that we spent so much on schools. Mr. Hart stated that we bend over backwards and try to provide the best education possible and we are penalized. Schools take over 80% of the tax dollar so that is why the formula is so low.

Letter from Highway Dept.

Mr. Hart read a letter from the Highway Superintendent relative to problems discussed at the Selectmen's Meeting October 11, 1972. The Highway Dept. plans to install bounds on Mrs. George Smith's property where part of Twiss Road is on her property. There is a lot of research work to be done on the property of Mr. Stephen Bentas, Proctor Road, to complete this project. As soon as Mr. Kitson, Civil Engineer, completes the survey work on Alpine Lane and submits his bill, Mr. Rondeau will know how much money is available in the Engineer's Fees account. If funds are available, Mr. Rondeau will ask Mr. Kitson to work on this project. Mr. Humphrey advised that the Highway Superintendent must accomplish this project. It has been a long time since we were notified of this situation. Mr. Hart wanted to know why the Town Engineer waits for us to send for a Progress Report. Mr. Markham suggested that a letter be sent to the Highway Engineer and let him come in and respond. Regarding Mr. Humphrey's request on a status report regarding tornado cleanup work, Mr. Rondeau reported that after checking the area of the tornado cleanup, he believed that by the week ending October 27th, the cleanup work will be completed. Mr. Humphrey wanted to know when he plans to terminate these men that were hired for the cleanup. Regarding the flooding condition at Fletcher St. and Chelmsford St., the Highway Department checked the drainage system on Fletcher Street and found the outlet pipe is approximately half full of water. This is caused by the high water conditions in the Brook. The pipe has been cleaned out but the brook is overgrown with vegetation and needs to be dredged and cleaned out. Mr. Hart stated that if that is the case, what is he going to do about it. Mr. Markham asked about providing the Board with similar situations. Mrs. Haines stated that he is probably preparing a list.

Senior Citizens Bus Route

Mr. Markham noted that Mrs. Gould was present at the meeting. He told Mrs. Gould that Mr. Dane, Senior Citizen's President, was present at this meeting earlier and it was suggested to Mr. Dane that the Senior Citizens prepare a route they would like to see the bus take and we can see if we have the money to operate this bus or we could go to the Finance Committee.

Hearing - Application of Toure F. Larson for a Class III License

A hearing was held at 8:00 P.M. on the application of Toure F. Larson, 229 Old Westford Road for a Third Class License, to Buy, Sell, Exchange or assemble, second hand motor vehicles or parts thereof, at 9 Butterfield Street, North Chelmsford, Mass. Mr. Larson told the Selectmen that it was his plan to sell used automobile parts from this location. He stated that as soon as he was through with the cars, he would take them to the junk yard. He would also repair cars on the premises. He stated that he had almost an acre of land. He also has two buildings. The junk vehicles would be on the premises at the most for a week. Mr. Larson stated that he planned to fence in the area with stockade fencing. Mr. Larson stated that Butterfield Street is a dead end. Mr. Larson stated that he did not trade the old vehicles in. Mr. Larson, on further questioning by the Selectmen, stated that he had a II Class License at another location on Route 3A with a 15 car limit and he has kept within the limit. He also stated that this operation is strictly under cover. Mr. Humphrey stated that a III Class License isn't anything more than a junk dealer's license and the restrictions that are put on a junk dealer's license is only as good as the party that holds the license and lives up to. We know that the abutters were notified. There are six abutters listed here, Anthony & Angelina Privitera of Tony & Ann's, Edgar O. & M. Franchon Larson, Leah M. Stone, Boston & Maine R.R. Corp., C. D'Angelo of Somerville, Mass., and Julian Cohen, Rutherbee & Co., Brookline, Mass. He also stated that all the abutters were notified but they did not reflect the feeling of the people in the area as only Leah Stone's home was a residential home. He was not so sure the people in the general area are aware of what is going on. I am not partial to junk dealer's licenses being granted. I am concerned as to what the future will bring with such an operation. You have an acre of land, that isn't an awful lot of land to keep everything inside. In answer to Mr. Markham, Mr. Larson stated that he did not intend to sell these cars. Mr. Humphrey stated that a Class III license allows you to do anything you like with these cars, selling, repairing, it allows you to do just as you please. It is the most unrestricted type of a license. Mr. Markham stated that it appeared to him to be a CB district, and I would raise the question if this is permitted. Mr. Larson stated that there is a junk yard right next door. It was stated that there might be a problem on the intensity and use regulations, according to the Zoning By-Laws. Mr. Hart read a letter from Mr. Eugene F. Crane, Southwell Combing Company which stated that he would not be able to attend this meeting next Tuesday evening. I would like to convey my thought in this letter. In connection with the hearing this Tuesday evening for a license of Toure F. Larson to buy, sell, exchange, or assemble second hand motor vehicles or parts, we want to go on record as being very much opposed to it. Last evening we were at an Appeal Bd. meeting on an appeal to have exactly the same type operation on Wotton Rd. from No. Chelms. going down to the Southwell Combing Company. During the course of the meeting, Vincent Morton, who owns a considerable amount of land behind the Post Office in North Chelmsford, made the comment that the junk yard and auto salvage concerns that are being forced out of business in Lowell for many reasons could well make a Tanner Street situation here in No. Chelms. From the entrance of Wellman North and all our other property, we have tried to make as attractive as we possibly could and have spent a lot of time, effort, and money doing this. Coming from Wellman North entrance toward No. Chelms. two houses down the line have a total of 9 cars and truck bodies in different stages of disrepair in the side and front year. In the back yard of the same area, I counted 9 horses and ponies. Four or five more houses down the line are 2 abandoned earth moving tractors and also truck bodies. Next door and behind is the truck body and salvage operation which is probably the worst eyesore in town. We recently had a nationally known client survey an area behind this salvage operation and stated that he certainly would not want to put up an attractive industrial plant behind what he considered to be a dump across the tracks. We had exactly this same reaction going down Wotton Road when we were showing our premises to other clients. Incidently, it was the Board of Appeals meeting which prompted me to write this letter.

Larson Hearing
for a Class
III License
cont'd.

This particular operation on Wotton Road started as a tire shack with the tires going out in the road for display purposes. For almost a year now these same people have done repair work and body work in the front yard, side yard, and in many cases on the black top area right in the road. The Board of Selectmen turned this party down for a used car permit. Two days ago, the Planning Board turned down the request for allowing this building with 26,000 ft. of land to be taken out, apparently, as a subdivision of this property. Incidentially, this is the same property that the Board of Selectmen and Building Inspector went to considerable effort to get rid of an abandoned barrel salvage operation. With the number of repair shops, body shops and so forth in the same area, four in number, I certainly do not think we need any more. Going back up the highway toward Nashua on the other side of Tyngsboro Road, is another body shop, however, this one has attractive quarters, does their own work inside and is most attractive in every way. I certainly think that now is the time to make the North Chelmsford area more attractive if possible than to downgrade it and make it an eyesore from North Chelmsford north out of town. We have had two Greater Lowell real estate and two Boston firms who have both commented that the North Chelmsford and Tyngsboro Boulevard area leaves much to be desired when they are trying to attract prestige firms into the area. We are passing this on to you Selectmen and feel sure that you are familiar enough with this entire area to not let it get any worse. Many of the small homes along this area keep their homes and premises in beautiful shape. So many of these auto and junk yard type places must be distressing for them.

No abutter were present. Mr. Hart stated that where there were no other comments, this hearing will be closed and the Board of Selectmen will take this under advisement. Mr. Humphrey stated that he wanted to make a motion. Mr. Humphrey moved that this application be denied for two reasons: 1. In my opinion, it would be detrimental to the existing business in the neighborhood and the residential property in the area, 2. It would not be condusive to any future industrial development in the Limited Industrial Zoned Land in close proximity to the area of this application. There was no second to this motion. Mr. Markham stated that before he seconded this motionhe would like to see a report from the Building Inspector before taking final action on this application. He stated that he did agree with some of the comments made in the motion. There are two different zoning districts on that street. Mr. Hart stated that he would agree with Mr. Markham, I have gone up to look at this property and it is in an area that is down trodden. Mr. Larson has done a commendable job with his existing business by making this business a very presentable type of a building. It is a small piece of property and if the zoning law is correct and this is a permissable operation, I would be in favor of this license. I do feel that when we have a businessman that has done a good job in an area that needs improvement, as Mr. Larson has shown in the past, we should give him the opportunity to continue this business in the Town of Chelmsford. Mr. Humphrey stated that regarding the proposed application, I don't believe it is a proper location regardless of the zoning rules. If it is a legal type operation, I will still not approve of it. Regardless of zoning, that type of business is not an answer to a community and in particular in this area. We have a number of that type of licenses in this area and there should be some type of restrictions on it by not allowing it, a change in zoning would not change my mind. We are not here to determine whether it is illegal or legal but whether we want this type of operation. Mr. Markham stated it is not necessary to know whether it is CB or CD but whether some of the restrictions would be permitted in this area, such as the type of building that is there. The applicant has plans for another building on the lot to see if that is possible. Is the property, as it is presently structured, appropriate and in compliance with the use and regulations. As far as the business itself, I certainly could agree with some of the comments. I do not get excited about junk yards. I am aware of the applicant's present location. I have gone by in recent weeks and being aware of his application coming in, I do think we are definitely considering the application of a Class III License. I take into consideration the individual who is going to be in control of the license. It has some merit. I would like to hear a report from the Building Insp

Mr. Humphrey objected because he has a motion on the Board. The motion failed for lack of a second. Mr. Markham requested that the applicant submit a rough layout including the existing building, the proposed building, and the area of the property that he is going to fence in.

Mass. Elec. Request for 4 pole locations granted

A hearing was held for four new pole locations on North Road currently known as Western Avenue. Mr. Ralph Wilkins represented Massachusetts Electric Company. Mr. Wilkins stated there was a question as to North Road. The engineer, when he petitioned for these four poles #99,100,101 and 102, was working under plans that were acquired from the Middlesex North Registry of Deeds Land Court Plan 3411B dated May 23, 1972, and it showed the sub-divided lots that Hinckley Homes is developing as being on North Road. In the meantime, I found out that back in March 29th, 1969, at the Board of Selectmen meeting, the name of North Road was changed to Western Avenue in that section. All the abutters were notified. The only abutters I could see was the State Highway Garage. These poles would be a continuation of the existing lines. It is a petition for 4 new poles to service these new homes. The Board agreed to allow these four new poles.

New Business

Mr. Markham stated that Mrs. Greenblatt of the Environmental Advisory Committee had brought to his attention Article 68, which was passed at the 1972 Town Meeting, regarding trash disposal and recycling. He suggested that we needed a status report from Mr. Rondeau on the recycling of trash and also an inquiry of Mr. Clark to see if any member of his program has picked up this project since the departure of Mr. Grunwald.

Mr. Humphrey commented that instructions should be left for the Fire Department regarding who to contact in case of emergency for this building. Apparently, Mr. Humphrey was the only Selectman the Fire Dept. could reach one night last week. There was a meeting going on in the upstairs hall and the temperature got to be astronomical. The Fire Department had to shut the heating system down. Give Mr. Baldwin's name and address to the Fire and Police Dept., and also the name of the firm that we have a heating contract with. Mr. Hart stated all this information in regard to all town buildings should be given to the Fire and Police Departments. They should take this upon themselves to have this information. See if they have this information on all Town Buildings.

Mr. Hart asked if there were any questions from the Press. Mrs. Kierce asked what the Board thought of the band presently playing at the Meadow Lounge in North Chelms. The Board did not condone this type of entertainment. Mr. Humphrey stated that it was being investigated by the Police Department and it was under the Attorney General's jurisdiction.

Meeting with Representatives from Palmont Corp.

The Selectmen met with Mr. John R. Montminy, President and Treasurer of the Palmont Corporation, Bedford, Mass., Mr. Chester A. Brown, Director, Palmont Corporation, and Mr. George Humann, Representative from Purity Supreme. This meeting was held on the request of the Palmont Corporation in a letter dated October 6th, 1972, which read: Gentlemen: Under a contract between the Palmont Corporation and Purity Supreme, we (The Palmont Corporation) have leased approximately 1,500 sq. ft. of store space at the Purity Supreme Shopping Plaza in Chelmsford for the purpose of operating a fast food establishment. The exact location is where Marshall's Rug Department is currently located prior to their move in November into their new building next to Purity Supreme's existing store. In order for us to commence the move into this location, we would like to obtain a Common Victualer License issued by the Town of Chelmsford. To effect the obtaining of this license, we will comply with any requirements established by your Board, including personal interviews, completing of documents, or providing floor layouts. Therefore, at your earliest convenience, we would like to obtain your requirements and have you set a date for us to meet with you. The Board requested that they notify Purity Supreme of this appointment and requested that they also be in attendance. Mr. Hart asked if the representatives of the Palmont Corporation had the plans with them tonight so that the Board could look them over. Mr. Montminy showed them the plans. Mr. Hart, Mr. Markham, Mr. Humphrey were in attendance at this meeting. It was stated that one of the partners has been in business for 12 years. It is a fast food shop, not a hangout. There will be no jukebox. As the Selectmen looked over the plans and layout for the proposed store, they noticed that the layout did not include any seats. The Selectmen informed Mr. Montminy that the law requires seating capacity in this type of an establishment. Mr. Montminy stated that he had avoided this because it was not a hangout spot and to eliminate the strain on the existing septic system. The Selectmen stated that it had to conform with the Town By-Laws. Mr. Montminy stated that he would be glad to put in the minimun number of seats. Mr. Montminy requested that the hours be 11:00 AM to 10:00 PM Monday, Tuesday, and Wednesday, and 11:00 AM to 12:00 PM on Thursday, Friday, and Saturday. The Selectmen told them the latest they could stay open was 11:00 PM any night. The Palmont Representatives stated they would close at 11:00 P.M. All this information should be forwarded to the Building Inspector to see that it complies with the codes. Mr. Montminy stated that we have an existing building but I am sure we could comply as far as the Building Inspector is concerned. If these plans do not have the total requirements, we will report to you what is necessary. I don't believe we can make any decision until the Building Inspector sees this. Mr. Humphrey stated that we will also be checking into the parking requirements. Mr. Montminy stated that we have enough parking spaces for all of these individual stores. Mr. Montminy asked how long does this usually take. The Selectmen stated that when the Building Inspector gives us this information, we will take this up again. Mr. Hart stated they should check out the layout of the proposed shop to see if it complies with the law and give it to the Building Inspector. The Building Inspector will send a letter to the Board of Selectmen with your plans. If this building is approved by the Building Inspector, we take this into our judgment to allow this license. Mr. Montminy asked if the Selectmen thought that there would be any problem. Mr. Hart stated that once we get the material back, we will discuss this. Mr. Humphrey stated if we have the information back, we can vote upon it next week. Mr. Markham stated on this outstanding request for a Common Victualer License, if you came in with the new plans and you felt they were within the By-Laws of the Town, have the Building Inspector send a letter to the Board of Selectmen. You could also submit resumes of your background and capabilities for our review. Mr. Markham also asked if any of these gentlemen were from Chelmsford. Mr. Montminy stated that none of them were from Chelmsford. They planned to open up an establishment in Westford. There are no similar establishments operating at the moment. Mr. Markham asked if there was any particular reason they had selected Chelmsford for this business. Mr. Montminy stated the location, the people, the Town of Chelmsford. I am familiar with the people in the area, I have relatives from Lowell and Dracut. We have plans for Leominister, Waltham, mainly with Purity.

Palmont Corporation cont'd.

Mr. Humphrey made a motion that the meeting be adjourned, Mr. Markham seconded the motion. The meeting was adjourned at 9:30 P.M.

Meeting adjourned

For the Board of Selectmen,
by, Marion E. McCready

Regular meeting of the Board of Selectmen held October 30th, 1972, at 7:30 P.M. Members present were: Mr. Lannan, Chairman, Mr. Hart, Mr. Humphrey, Mr. Doody, Mr. Markham. Mr. Lannan presided. Mrs. Haines, Administrative Assistant was present.

Members present

Reporters present were: Chelmsford Newsweekly, Mrs. Ann Marie Kierce.
Chelmsford Sentinel, Mr. Jerry House.
The Lowell Sun: Mr. Gus Webster.
WCAP, Mr. Fred Faust

Reporters Present

A hearing was held on the application of Raymond Cayre, 26 Worthen Street, Chelmsford, for the storage of 49,000 cubic feet of hydrogen at KSC Way, Chelmsford, Mass.

Hearing-49,000 cu. ft. of Hydrogen

Motion for Package Stores to be open on Election Day

Mr. Lannan read a letter from the A.B.C.C. regarding Election Day, November 7, 1972. It stated that the decision is left up to the local licensing authorities as to "Package Goods" stores remaining open on Election Day. Mr. Hart moved that they remain open, seconded by Mr. Humphrey. Mr. Hart moved to allow registered pharmacists the same privilege as package stores. Mr. Humphrey seconded the motion.

Street Accept. for Green Way 1973 Town Meet.

A letter was read from Mr. and Mrs. Thomas O'Brien dated October 6th, 1972, requesting that Green Way be accepted as a street. The Planning Board recommended that this be submitted for street acceptance at the 1973 Town Meeting. Mr. Doody made a motion in favor of forwarding this request for Green Way to be accepted at the Town Meeting. Mr. Humphrey seconded the motion.

Penn Central - Warning Signals Glen Avenue

Mr. Lannan read a letter from E. C. Cross, Division Superintendent, Penn Central Transportation Company, stating they had received our letter dated October 17, 1972 relative to the lack of warning signals at the railroad crossing on Glen Avenue. This matter is under investigation and we will be advised of their findings.

Motion to Alleviate the situation at Old Grain Mill

Mr. Lannan read a letter from Chief Reid dated June 12, 1972, regarding petitions received by the Selectmen to take immediate steps to have an investigation made of the buildings at rear of Cushing Place, known as the Grain Mill. Mr. Reid stated that a meeting with a representative of the Company owning this property, the Building Inspector and myself was held Friday morning. At this time we were informed that a party has an option to purchase this property. The option expires June 14, 1972. Another meeting is scheduled with the new owner or present owner, whichever prevails, as soon as possible after the 14th to determine what action will be taken. Mr. Lannan then read a letter from Peter McHugh, Building Inspector, which stated after inspecting same, and after talking to owners, they will in the near future prepare to alleviate said situation. Mr. McHugh's letter was dated October 25, 1972. Mr. Humphrey stated that Mr. McHugh's letter was vague, did he mean that the building was going to be torn down? Mr. Humphrey made a motion that we instruct Mr. McHugh that he ascertain a date by which the owners get the work accomplished. Also, to instruct the Building Inspector to notify the owners of the property to alleviate the condition which presently exists. The work is to commence within 30 days from this date 11/30/72. The Board voted unanimously in favor of this action.

Letter of thanks from Jerry Lee

Mr. Lannan read a letter of thanks from Jerry D. Lee, Project Chairman, Chelmsford Jaycees, for the Selectmen's help on the Jaycee's "Help Light The Way Sunday" project. Mr. Lee stated that the publicity resulting from the Selectmen's Proclamation was responsible for a large portion of their sales.

Repair Waste Collection Truck

Mr. Lannan read a letter from Mr. Rondeau, Highway Superintendent, in answer to our letter dated Oct. 25, 1972, regarding repairs to the Waste Collection Truck. Mr. Hart moved that the Highway Dept. have the truck repaired. Mr. Humphrey seconded the motion.

Motorcade Parade Bruce Freeman

Mr. Lannan read a letter from the Committee to Re-elect Bruce Freeman to have a Motorcade Parade in the Town of Chelmsford on November 4, 1972, between the hours of 1:00 P.M. and 4:00 P.M. and for the use of a loud speaker system from November 1st to Election Day excluding Sunday. Mr. Hart moved that this request be granted. Mr. Humphrey seconded the motion.

Int'l. Brotherhood of Police Officers - discuss contract request

Mr. Lannan read a letter from the International Brotherhood of Police Officers, Chelmsford Local 341, requesting a meeting with the Selectmen at the earliest date possible to discuss their contract. Mr. Markham stated that we need a member of the Board to negotiate with the Police Dept. I think there were two points that were going to be discussed when there was a full board. 1. Selectmen Hart's suggestion that we use a labor relations advisor provided for in the Selectmen's Budget. 2. Two members of this Board serving on this team. Mr. Hart stated that he was in favor of having a labor advisor and also two people assisting on the labor negotiations team. One Selectmen should be in charge of the negotiations. I think it would improve all of us to be as available as possible for these negotiations. Mr. Lannan stated that for two years, we did not hire a labor negotiator. We could ask Town Counsel if we needed advice. We could hire a negotiator on a piece meal basis. Mr. Humphrey stated that he didn't feel as though a negotiator should be hired. I can't justify in my mind that we need a negotiator when we don't have new contracts. The negotiator was hired to draw up the initial contract. We did one for the police last year without a negotiator. The Highway and Fire were drawn up with a negotiator. I think that the ability of a Selectmen to negotiate on behalf of the full Board is there. He is the intermediary and he brings back the information to the full Board for the decision to be made. The Board always makes the decision. The Town group that we are bargaining with cannot put the one Selectman in a position of embarrassment to commit himself. The use of the Town Counsel was, and is, a much less costlier rate than the input of an outside person. The negotiator's fee is $25.00 per hour, usually 2 and 3 hour sessions, at a time. Mr. Humphrey stated that he negotiated on behalf of the Highway Dept. and no other Selectman was there. If you feel it is necessary to hire a labor advisor, I will go along with it. Mr. Doody stated that it would be wise to have a labor advisor. Mr. Humphrey stated that in order to get somebody to do it, that individual would want some assurance of continuity in this field where you might utilize him. Mr. Lannan stated that we should speak to Town Counsel and get his reaction if we might need some advice. If the Board is desirous, Town Counsel stated that he would be happy to have us call upon him. Mr. Humphrey stated that this is not the initial contract, there will only be amendments, and the final judgment is left with the Board. Mr. Doody stated that I have presented a position that we have got to have someone to sit with us, a labor negotiations advisor to help us negotiate. I think that there are certain advantages if someone should take a position on a call basis. Town Counsel would be good. This Board is provided with some continuity with all three bargaining units. Negotiations are the same time as the budget and there are three different bargaining units. Advantages of labor relations with the Personnel Board who have had representatives at the negotiating sessions. An advisor would have the knowledge of laws that have a definite bearing on our negotiations, laws we should know about. He has a draft of language. Contracts change, language changes. There would be continuity of typewritten reports. These responsibilities cannot be handled by the Selectmen. We have some experience in negotiating but we are dealing with Union labor negotiators, a pro, and we are taking a stab at this on a year to year basis. I think that if we have someone who has a labor relations background, the Town would have a great service. All members of the Board were invited to sit in on the negotiations. It is a tough way to learn about negotiations. I think an experienced man could be a good help to us, but if Town Counsel does it, I would be quite agreeable. Mr. Humphrey stated that it is not as difficult as in might sound. You never have to take any abuse and if there is a difference of opinion, nobody is embarrassed and everyone still talks to each other. Mr. Lannan stated that the time we had a labor mediator, that was the toughest negotiations we had. Mr. Doody stated that our relationships have been very good with these mediators. All negotiations have been very objective and straight forward. Mr. Markham stated that it should be clarified that we are talking about an advisor, not a negotiator. It was never my intention to hire someone to negotiate for this Board or the Town. I too agree that we should have some type of a labor relations advisor. I do believe Town Counsel could do this, if he is abreast of the current laws, latest wages and salary that have to be enforced in this community. Mr. Markham stated he had attended one session with each of the three departments, and quite frankly, I don't see any need of going back and being an observer. In order to really participate , you have to be part of the team, not just an observer. There is no benefit to being an observer. Since we now have 5 members on the Board, I think we should have two members sit in on these negotiations. As of now, there is a Selectman, a member of the Personnel Board, and a department head. There are twice as many on the other team,

Discussion regarding a labor relations advisor

Discussion regarding labor relations negotiator - cont'd.

including a labor advisor and an attorney. As far as the second member, my suggestion was to somewhat carry over this transition, a second member in the case of the Highway Department to assist in this transistional period. One individual who has negotiated to lead up to the present contract. Things get lost if you are not aware of the background. We could establish something for the future by naming another member to the team, not just an observer. I certainly would be willing to remain on that Highway team while some other member becomes familiar with it. Mr. Hart stated that he wasn't named as a negotiator, but he could ask questions and get some answers. There were five people there. I don't know whether it is necessary to have the second person named, but it would be beneficial to have a second member. Mr. Lannan stated that no one sat in with him with the Police Dept. Mr. Humphrey stated he thought it was best to stay away. I have no objection to hiring a fulltime advisor or negotiator. If a second selectman is to be named, I will volunteer to serve with you. I would not be there at the Town Meeting, but we have never had to go to the Town Meeting floor to fight for any negotiations. It is a feather in the Selectmen's cap. Mr. Lannan asked if the Board would be in favor of having Town Counsel fill the bill of a labor advisor. Mr. Markham was named to negotiate with the Highway Department with Mr. Humphrey as the alternate. Mr. Hart was named to negotiate with the Police Department, Mr. Lannan as the alternate. Mr. Lannan was named to negotiate with the Fire Department, Mr. Doody as the alternate. Mr. Doody stated that he would not be head negotiator for the Police Department. He stated that he did not feel that he should take this position as head negotiator because if the contract had to be presented on the Town Meeting, he would not be there. I don't think I should take on full negotiations.

Appoint Mr. Arkin Alternate Member Board of Appeals

Mr. Lannan stated that we wanted to have a full Board to appoint an alternate to the Board of Appeals. We have had several nominees including Mr. Sullivan, Mr. Arkin and Mr. Firth. The Board was in agreement to make this appointment. Mr. Humphrey nominated Mr. Firth, Mr. Doody seconded this motion. Mr. Markham nominated Mr. Sullivan, no second. Mr. Lannan nominated Mr. Arkin, Mr. Markham seconded. Mr. Lannan stated that Mr. Arkin is a marketing engineer. Mr. Humphrey stated that he would like to clarify Mr. Sullivan's nomination. I do know from reading his background, he is not the type of individual that we should have on the Board of Appeals since he is a building contractor. He might be swayed. I don't think there is room for a builder on the Board of Appeals. Mr. Humphrey stated that he nominated Mr. Firth because as a member of the Planning Board he knew zoning and could assist the Appeals Board. I know he has been called by the Board of Appeals on zoning matters. He did not seek the appointment, I went looking for him. I would like to place his name in nomination. Mr. Lannan stated that he thought Mr. Firth did a tremendous job on the Planning Board. I did not vote for Mr. Firth because he is a member of the Planning Board and I don't think he should be on both for proposals at Town Meetings that have to be drawn up. The Board of Appeals requests variances from the same laws proposed by the Planning Board. The way things are done in industry, you do not have the manufacturing manager sitting on the quality control board. Quality control is responsible for the products. Mr. Humphrey stated that this was a very poor analogy. I can only say that Mr. Firth would only be one vote. He would be an alternate. If the Board of Appeals asked a question of Mr. Firth of why the zoning was instituted, he could answer their question. Mr. Lannan stated that he would like to see Mr. Firth be a consultant. Mr. Humphrey nominated Mr. Firth, Mr. Doody seconded. Mr. Hart and Mr. Markham were opposed. Mr. Lannan nominated Mr. Arkin, Mr. Hart seconded the nomination. The Board voted unanimous for Mr. Arkin.

Meetings with Finance Comm. to discuss 18 mo. budget

Mr. Lannan received a schedule from the Finance Committee for appointments for the heads of all departments for their 18 month budgets. The Selectmen's Meeting will be Tuesday, December 19th, 1972. The schedule is in Mrs. Haines office.

New Business

Mr. Lannan stated that we should be receiving a check for Chelmsford's share of the Revenue Sharing Funds. There are certain rules and regulations we will have to follow in the use of this money. We will be reporting to the Secretary of the Treasury. We will have to report to the Secretary of the Treasury how the Town is going to use these funds. This is a five year testing period with calendar year 1972 almost gone. After the first of the year, we will have to submit these plans to the Secretary of the Treasury with the approval of the governor. Mr. Doody stated if the Board wanted the Capital Planning Committee to sit down and review this material, he will take this information to them. This no strings attached bill has more things attached to it. Mr. Lannan stated that in some cities, the funds will be set up in a trust fund and used for certain purposes. Mr. Doody stated that he will have the Capital Planning Committee come back to this Board with recommendations. Also, he requested that Mr. Blackadar compute the Revenue Sharing Allotment for the Towns of Chelmsford, Billerica, and Burlington, using the formula as stated in his letter of October 24th. Mr. Doody stated that Billerica and Burlington has the same kind of school problems and they are being rewarded for spending more on other services and their tax bills are higher. We are being penalized. At the beginning of the discussion regarding Revenue Sharing Funds, Mr. Lannan stated: We must now develop for utilization of Revenue Sharing Funds by surveying critical local needs to determine the most effective utilization. This is a five year testing period. We have an opportunity to show how local governments can perform when given the opportunity to set local priorities, that we can manage substantial federal funds, as well as, if not better than, some of the federal agencies have done in the past. Areas of consideration could be long-delayed capital improvements, and capital upgrading. This could permit greater flexibility in meeting operating expenses from local revenue sources. We should have our capital investment committee start immediately to formulate plans and priorities for our consideration, areas of capital expenditures might be for: 1. Paving streets, providing curbs and gutters for adequate drainage, cleaning of our brooks and streams that cause us no end of problems these days. 2. New police station addition, new fire station for East. Necessary repair or updating of Town Hall facilities, off street parking for the center section. 3. Additional equipment for police and fire departments. 4. Parks and recreational facilities (for all ages) including lighting. Non capital expenditures to be considered: 1. Additional policemen, salaries and outfitting. 2. Additional library staff and increase of book stock. 3. Additional firemen personal equipment. 4. More highway/trash pick-up personnel (storm drain clean out, etc.) 5. Operating expenses for existing municipal services. These are a few thoughts and I am sure each of you will probably have more. We must get started making our plans so that we will be making our report (s) on time. I feel a meeting with our Capital Improvements Committee and our Department Heads is necessary to formulate these plans and priorities. Most cities and some of our towns in this commonwealth have already made their plans --- it is not too soon to plan how we intend to utilize this revenue sharing money. Mr. Doody stated that he thought that Chelmsford and Tyngsboro are the only two towns listed at full cash value. Mr. Blackadar could prove this by providing similar figures for Billerica, Burlington, and for Chelmsford. Mr. Humphrey requested that we ask the Town Accountant as to what direction we should apply the Revenue Sharing money and also to explain the application of the Formula.

Revenue Sharing

Mr. Hart's request to have a Motorcade Parade in the Town of Chelmsford on Nov. 5, 1972, between the hours of 1;00 P.M. and 4:00 P.M. and for the use of loud speakers from November 1st to Election Day was motioned by Mr. Humphrey, seconded by Mr. Doody.

Mr. Humphrey stated that in regard to Rufus, Mrs. Dawson found a new home for him the day after the hearing and there is no more Rufus. It is a better thing for the dog than being impounded by the Town.

Mr. Humphrey requested that we ask the Board of Assessors for a comparison of receipts of the 1971 real estate taxes and the 1972 real estate taxes. Also, how much can we realize in actual receipts as a result of 100% evaluation.

Mr. Doody stated that the site down at the high school is being cleared and the home that was going to be used as an office has been taken down. There is a traffic problem at the corner of Graniteville and Davis Roads. It is a blind corner and ice builds up. How could the corner be straightened out, what could be done to alleviate the blind corner and the flooding at that corner before the winter? Mr. Humphrey stated that Jim Sullivan wanted to utilize some of that land. Mr. Doody stated that Mr. Sullivan is quite agreeable to correcting this situation. It was requested that the Highway Engineer take a look at this location and do something about the drainage and also have the engineer and the Highway Superintendent make recommendations back to this Board.

Mr. Humphrey stated that at the last meeting, we instructed the Town Engineer to prepare information for Proctor Road on the Bentas property. We will have to bring something to a head. If we are not going to relocate the road, they are certainly entitled to compensation for the land that was taken from them when the road was widened. We should increase the Highway budget to reconstruct the road. Mr. Lannan stated that the Proctor Road property of Mr. Bentas was mentioned last week at a meeting with the Highway Superintendent. Mr. Hart stated that the engineer said he wouldn't have the time to do it right now. Mr. Lannan stated that we will have a report from the engineer tomorrow noon.

Mr. Markham stated that several weeks ago, we had a request from the School Department on the status of installing the school bus signs. It is dark at 5:30 P.M., and it is very important that we get these signs installed. Mr. Lannan stated that the Highway Superintendent has been instructed to go ahead with this. We will check on this tomorrow noon.

Mr. Lannan stated that in regard to Article 32 of the 1971 Town Meeting, it was voted to give a certain sum of money for the installation of a flashing yellow light with sign attached to read "School Buses Entering Ahead" to be installed on Acton Road near the Byam School. The money for the other nine signs will have to be appropriated at the 1973 Town Meeting. They will cost $24,000 to $25,000. This money will be returned back to the Town by the Department of Public Works. Mr. Humphrey made a motion to proceed with this sign, Mr. Hart seconded the motion. It was requested that an Article be prepared for the 1973 Town Meeting for these signs.

Mr. Markham requested that we ask Town Cousel's opinion of just who is an abutter. Mr. Humphrey agreed. Mr. Markham stated from Town Counsel's opinion, we can determine whether the abutters who are in the area were actually notified or not. Mr. Humphrey made a motion that certain safety features that were contemplated be installed if the permit was granted to the Silicon Transistor Co. for hydrogen storage. He requested that a letter be sent to the Company with a complete list of the proposed safety features and they can submit this to the Board if the permit is issued. This motion was seconded by Mr. Doody.

Mr. Lannan made a motion that the meeting be adjourned, Mr. Hart seconded the motion. The meeting was adjourned at 10:40 P.M.

For the Board of Selectmen,
By,
Marion C. McCready

Regular meeting of the Board of Selectmen held November 6th, 1972, at 7:30 P.M.

Members present

Members present were: Mr. Lannan, Chairman, Mr. Doody, Mr. Markham. Mr. Lannan presided. Mrs. Haines, Administrative Assistant was present. Mr. Humphrey was attending a business meeting in Boston, Mr. Hart was attending a meeting.

Reporters present

Reporters present were: Chelmsford Newsweekly, Mrs. Ann Marie Kierce; The Lowell Sun, Mr. Gus Webster; Chelmsford Sentinel, Mr. Jerry House; WCAP, Mr. Fred Faust.
Newsweekly Photographer, Mr. Lionel Arsenault.

"Toys For Tots"

Mr. Mike Kinney, representative for the Toys for Tots program asked the Board to endorse the "Toys for Tots" program which will be conducted by the Marines from November 13th through December 17th, 1972. Mr. Kinney gave posters to the Selectmen to advertise for this program. Mr. Kinney stated that there would be coverage by the Newsweekly, the Lowell Sun, and WLLH. The Newsweekly photographer took pictures of Selectmen and Mr. Kinney with the "Toys for Tots" posters. Mr. Kinney stated that the Highway Department had given permission to put a container for these toys outside of the fence during the daylight hours.

American Amb. Service Contract

A letter was read from Mr. Ronald Pick, American Ambulance Service, which stated that the ambulance contract for the Town of Chelmsford runs out at the end of June 1973. Mr. Lannan stated that we have the Fiscal Year Change coming up and the budget will have to include all of 1973 and six months of 1974. Our budget will be for an 18 month period. Mr. Lannan requested that if there were going to be any changes in the ambulance contract, forward a copy of the contract to the Selectmen for one year from June 30, 1973 to June 30, 1974. Mr. Markham asked why the contract runs out in the middle of the year. Mr. Lannan stated that is when we negotiated the contract, the last day June. We want to be made aware of more or less the same things we have asked for in the past, the amount of money, amount of trips, amount of calls. We are actually paying for having an ambulance available in the Town, the people are paying for their services. We have the ambulance stand by at all our major events that we have in Town. Mr. Markham stated that with the Fiscal Year Change, we shouldn't confuse it. The contract should be broken down into two figures, 1972 to 1973 and 1973 to 1974. Some of the budgets are coming in 6 and 6.

Stop signs installed on Glen Avenue

Mr. Lannan read a letter from the Highway Department notifying the Selectmen that they have installed the stop signs at the intersection of Glen Avenue and Katrina Road and Glen Avenue and Chelmsford Street.

EEA Status

Mr. Lannan read a letter from John R. Clark on the Status of EEA which stated as you probably know by now, on October 27th, 1972, the President again vetoed the HEW/DOL Appropriations Bill. Consequently, we will continue to operate Section 5 and Section 6 under a Continuing Resolution which has been extended to February 28, 1973. The Department of Labor has told us that they "do not anticipate that any EEA participants will have to be terminated as a result of the veto." We must, however, continue the hiring freeze until we have reached our original funding level. In addition, DOL urged us to continue our efforts to place participants in both public and private sector jobs.

Wm. Ducharme Resignation effective 11/8/72

Along with the Status of EEA, a letter was received from William Ducharme stating his resignation effective November 8th, 1972, from the Planning Department. With his resignation, there are now seven positions in the Town of Chelmsford that we cannot fill due to the freeze on EEA funds.

Letter of thanks from Mr. Parlee

Mr. Lannan read a letter from Mr. Ralph Parlee thanking the Board for their action on the Sheehan property on Galloway Road. Mr. Lannan stated that we let Mr. Parlee grow a crop on the Sheehan property rather than see the land remain vacant.

Letter from G. Scott, 25 Purcell Drive

Mr. Lannan read a letter from Mr. and Mrs. Gordon Scott, 25 Purcell Drive, requesting the necessary steps to be taken in order to have street lighting. Mr. Lannan requested that a letter be sent to Mr. and Mrs. Scott regarding street acceptance and informing them of the procedure. The builder must submit plans to the Board of Selectmen in accordance with street acceptance specifications. Plans are reviewed by the Town Engineer for approval. These plans must conform to the Street Acceptance By-Law. All street acceptance requests were accepted by October 30th, 1972. In order that street lighting be provided on a street, it is required that the street be accepted. Once the street is accepted, a request in writing should be made to the Selectmen for street lighting.

Request for two pole locations

A request was read from Mass. Electric Company for two pole locations, one at Westford Street and one at Meadowbrook Road. No hearing is required. Mr. Markham will sign this petition as Clerk of the Board. Mr. Markham moved in favor of the pole locations, Mr. Doody seconded the motion.

Vote to install motorist aid call boxes

Mr. Lannan read a letter from Joseph P. Hannon, Director, Northern Middlesex Area Commission, regarding an application received as a referral under OMB Circular A-95: Department of Public Works - a proposal to install approximately 216 motorist aid call boxes, along 62 miles of I-495, and to construct three microwave towers. Mr. Hannon would like to have our veiws on this project. Mr. Lannan stated that this is similar to the boxes that run from Littleton to Chelmsford Center. This was the section of 495 that was used as a test case. I have no objection to the use of these call boxes. Mr. Doody stated that these boxes are used quite a bit on 495. Mr. Doody moved in favor of installing the motorist aid call boxes. Mr. Markham seconded the motion.

V. Munroe - Resign. from Bd. of Appeals

A letter was received from Velma Munroe dated October 30th, 1972, in regard to her resignation from the Board of Appeals. The Board agreed to send a letter of gratitude for her services on the Board of Appeals. Mr. Lannan also asked for names to be submitted to fill the vacancy as a permanent member of the Appeals Board.

Request to hold Weekly Barn Sales

Mr. Lannan received a letter from Janet Knight, Secretary of the South Chelmsford Village Improvment Association, asking permission to hold a proposed weekly "Barn Sale" on Saturdays, inside the premises during the winter months. The South Chelmsford Village Improvement Association sponsors local groups, such as, the Brownie Troop, Boy Scouts, Cub Scouts, Girls Scouts and TOPS, and is in need of funds to maintain their premises for this purpose. Mr. Lannan stated that we should call Mrs. Knight's attention to Article 30 of the 1972 Town Meeting in regard to Barn Sales. The Building Inspector issues these permits to hold Barn Sales. The Board agreed to turn Mrs. Knight's letter over to the Building Inspector for his review to determine whether it comes under Article 30.

Sidewalks completed

A letter was read from the Highway Superintendent informing the Board of Selectmen that the sidewalks have been completed on Church Street in North Chelmsford and on Boston Road at the Aldersgate United Methodist Church and South Row School. Mr. Lannan commented they did a good job.

Meeting with Town Accountant to discuss Revenue Sharing

The Board of Selectmen met with Mr. Arnaud Blackadar, Town Accountant, to discuss Revenue Sharing. Mr. Lannan stated that Mr. Blackadar is in a position to know more about Revenue Sharing and the guidelines the Secretary of the Treasury is going to impose on us, and also some of the projects the Board might consider for using these funds. Mr. Blackadar stated that the Data used to determine allocations is provided by the Bureau of the Census. It should be emphasized that published allocations were estimates only. Estimates were based on Population and per capita income figures taken from the 1970 Census and tax data from the 1967 Census of Government. The Census Bureau is conducting a continuing study to bring this data up to a 1971 level when actual payments are made. The formula for municipal allocations within the State is as follows: Population x General Tax Effort x Relative Income Factor divided by the total of these factors for all county municipalities. The resulting percentage of the total municipal allocation equals the town share. (The General Tax Effort Factor equals net Taxes collected divided by Aggregate Personal Income. The Relative Income Factor equals Per Capita Income divided by Per Capita Income of all county municipalities.) The first payment is expected to be made the first week of December for half the 1972 allotment. The remaining half will be paid early in January 1973. Thereafter, quarterly payments will be made within 5 working days after the end of March, June, September and December. There are three exclusions from the use of Revenue Sharing Funds: Use for matching other Federal funds, education and general administration. The funds must be used for a broad list of "High Priority Expenditures." 1. Maintenance and Operating expenses for: A. Public Safety (including law and building code enforcement and fire protection.) B. Environmental Protection (sewage disposal, sani-

Revenue Sharing cont'd.

tation, and pollution abatement). C. Public transportation. D. Health. E. Recreation. F. Libraries. G. Social Services for poor and aged. H. Financial Administration. 2. Ordinary and necessary capital expenditures authorized by law. Allotments must be held in a segregated account for appropriation and accounting purposes, and are subject to prevailing state and municipal guidelines. There must be no discrimination under Civil Rights, and all wage and hour regulations must be observed. In future budgeting, an amount based on historical receipts may be built into budgets. (For instance, at the 1973 Town Meeting, the amount received for 1972 plus five times the first quarter payment in April 1973 could be used in various ways to effect the 18 month fiscal year budget.) Reports required will be: A report on use of 1972 allotment filed before March 1974. 1. Before the beginning of each entitlement period, each unit must submit a report to the Secretary of the Treasury stating amounts and purposes for which funds have been spent or obligated. These reports must be published in a newspaper having general circulation in the geographic area of the town. Other news media must be advised of availability of these reports. Mr. Blackadar stated that there are very little restrictions, very little auditing. We will certify as to the use of the money. There will be spot audits and a large volume of trust is put on the community as to the use of this money. In early January, it will be necessary to submit plans of what you intend to do with the 1973 money. It is not required that it be specific and the plans do not have to be followed to the letter. Soon after the period is up, we will be required to furnish another report telling what we actually did use the money for. Congress will want to know how this money is affecting this country and where the bulk of it is being used. Mr. Lannan suggested an addition to the Police Station, a new Fire Station in East Chelmsford if a proper location is determined, more lighting in Recreation areas. Mr. Blackadar stated they would all fall under the requirement and added that the money may also be used for direct tax reduction by reason of using it to pay Police Budget., etc. I think the public would like to see this money used for tax reduction. If it were placed in the Reserve Fund, the unused portion would have to be reverted back to the trust at the end of the year. Mr. Doody stated that he had asked Mr. Blackadar to explain the formula but also make a comparison of how some Towns of the same size as Chelmsford and spending the same on schools were receiving more. He also stated that Chelmsford ranked 9th in the list of surrounding Towns. Burlington receives $608,688, Billerica $512,266, Chelmsford $240,155. Mr. Blackadar stated he had not made the comparison because the per capita income was used in the formula and he knew of no place this information could be obtained. We could get the tax effort from our own figures. He stated the difference would be a complimentary difference in that Chelmsford's per capita income was higher than the surrounding towns and unemployment lower. We are considered a more affluent town. Mr. Doody stated it is a compliment in a negative way. Mr. Blackadar stated that the law does provide for an appeal and also there is a possibility that the State will change the allotment before the 5 years is up. The county share will be decided directly by the municipalities. That will be some months in the making. Mr. Doody stated he still was not satisfied and would like to see done what was necessary to equalize this distribution. Mr. Lannan agreed the Town had been "short changed again". Mr. Lannan also stated that the Town was also "shortchanged" under EEA. Mr. Doody moved to file an appeal with the Secretary of the Treasury to see if Chelmsford is receiving its right percentage according to the formula. Mr. Doody stated that other Towns receiving more are as affluent and spent as much on schools as Chelmsford. He noted that Burlington has a large industry tax income. He asked Mrs. Haines to check with the Department of Commerce for the figures on per capita income. Also, send Monographs for Burlington, Billerica, and Chelmsford with the appeal and a letter to express our concern about the relative position to where we stand in relation to the other towns. They could do a calculation of the top three towns to see why we came out this way. Mr. Doody's motion passed unanimously. Mr. Markham asked if this money could be used to retire outstanding school bonds. Mr. Blackadar said they could and the school operating expenses were the only thing prohibited under the bill. Mr. Markham also asked if these funds could be used for Chelms-

Revenue Sharing cont'd.

ford's share at Nashoba where matching funds were involved. Mr. Blackadar stated that where Chelmsford does not have a breakdown in this case between operating and capital expenses, it would be a finely-defined question and would take further inquiry. When Mr. Markham asked about sewers where federal funds were received, Mr. Blackadar said it would have no effect and could be used. It was stated that to use this money for an indirect tax reduction, we would have to go to the Town Meeting. Mr. Lannan stated that we have to take steps to determine a plan or project to spend this money. Perhaps we could have a meeting with the Capital Planning Committee to prepare articles for spending these funds. Mr. Markham suggested that we also invite the Finance Committee to this meeting. Mr. Doody stated that he would meet with the Capital Planning Committe and they will report back to the Selectmen. The Board voted for a meeting with these committees to be held Nov. 21st at the Selectmen's office. In answer to Mr. Doody, Mr. Blackadar thought it would be good public relations to turn the funds back to the people of the Town. It will make a much bigger impact on Congress.

Checks rec'd. from Boston Mutual Ins. Co

The Boston Mutual Insurance Company has returned to Chelmsford on their group insurance a check for $1,950 which is a 14% reduction in the policy and another check for $4,857 for a dividend. This is a result of favorable experience by the Town of Chelmsford and amounts to 36% of the premium.

Charter Comm. proposal - Dissolution of Varney Playground

Mr. Lannan read a letter from John McCormack, Charter Commission, which stated: In our preliminary report, we are proposing the dissolution of the Varney Playground Commission and the transfer of its responsibilities to the Recreation Commission. Since making this proposal, we have been advised to get a legal opinion on the issue. In addition, we are interested in learning whether the Varney Playground officials can be appointed by the Selectmen rather than elected at the Town Meeting. Mr. Lannan stated that we have talked about this in the past and it was set up as a trust. The Board agreed with Mr. Lannan to forward this letter to Town Counsel for his legal opinion.

Tree removed by Hgwy. Dept. Holt Street

Mr. Lannan read a letter from the Highway Department regarding a request from Mr. and Mrs. Spirito, 15 Holt Street, No. Chelms., Mr. Rondeau contacted Mrs. Spirito and the tree that was damaged by the tornado was taken down by the Highway Department.

Catch basin installed at Southgate Rd.

Mr. Lannan read a letter from the Highway Department regarding a letter received from Mr. and Mrs. Harold Firth, 91 North Road, Chelms., regarding a drainage problem on North Road and Southgate Road. Mr. Rondeau wished to inform the Selectmen that a catch basis was installed on the corner of Southgate Road and North Road and tied into the existing drainage system on the opposite side of Southgate Road.

Discussion on Article 68 - 1972 Town Meeting - Recycling

Mr. Lannan read a letter from John R. Clark, Project Director, EEA, regarding Trash Disposal (Recycling) which was voted at the 1972 Town Meeting under Article 68. In answer to the request of Mr. Thomas Markham on the above subject matter, please be advised of the following: A drawing for sheet metal containers for newspapers designed to be attached to the rubbish trucks was submitted to Nashoba Tech. for review. Estimated cost for fabrication of this container 30" high, 48" long, 14 " wide, two doors top and front was $40.00 per unit. It was found that the height of this container presented a clearance problem. New dimensions for a container 20" high, 48" long, 14" wide, with one front door opening to be attached under the truck on the right hand side of the vehicle forward and flush with the rear wheel. A full scale drawing is attached. This container would have a ground clearance of only 14" to 16" which could present some problems. From the full scale drawing the capacity of this container would seem less than adequate to handle the volume of paper that presumably could be made available for pick-up. Additional study and discussion seems to be in order. Mr. Markham asked if additional study was needed, where do we go from here? This article was voted unanimously at the 1972 Town Meeting. We had direction from the Town Meeting to implement this article. We should ask the Advisory Committee to come in and meet with us. It was brought to my attention that they have several ideas concerning this implementation. It may not be required that a rack or container be attached to the trucks. Also, could Mr. Clark replace Mr. Ducharme on this project as Mr. Ducharme is no longer with the planning department. Mr. Lannan stated that he will talk to Mr. Clark. He also said that there are three types of materials to be recycled, glass, cans, and newspapers. The law was not mandatory that they be separated for the collections. There is no penalty in the by-law to make it mandatory. Mr. Lannan mentioned about a problem referring to the fact that the new recycling plant in Lowell would separate glass and cans. He asked if the trucks would have to make trips to the Chelmsford dump for the newspapers. He also suggested that perhaps quarterly pickup just for newspapers might be better. Mr. Lannan stated that we would ask Dr. Kamien to come in for a meeting with the Selectmen. Mr. Doody asked that we send all the material we have to Dr. Kamien and her committee for their review.

Bids for "School Bus Signs" on Acton Road

Mr. Lannan read a letter from Robert Olson, Purchasing Agent, notifying of bids received for the "School Bus Signs" project on Acton Road. The letter stated that during discussions with vendors who submitted bids initially, namely, Morse Brothers and R. W. LeBaron, Inc., they agreed that their bids can still be considered valid. LeBaron has confirmed by letter and Morse has agreed to confirm. Collier IE-EE has increased his bid by one hundred dollars. Collier is not recommended because they are not recognized for this type of installation by other towns and cities, and their submitted dosier reflects flagpole installations and the like, for experience. Since no written confirmation has yet been received from Morse Brothers and that R. W. LeBaron, Inc. is the next lowest bidder, recommendation is made that an award be made to this company based on terms outlined in attached letter dated November 1, 1972. Bids received were as follows: Collier IE-EE, $3133.00; Morse Brothers, $3975.00; R. W. LeBaron, Inc., $3,600. Mr. Lannan stated that before we take action on this, the only amount of money we have available for the "School Bus Signs" is $2000.00, and the bid is $3,600, so we are short $1,600.00. This money is 100% reimbursable from the State Department of Public Works but we would have to spend the money first. We would have to ask the Finance Committee for a transfer of $1,600.00. Mr. Doody made a motion to request the Finance Committee to transfer $1,600.00 for the "School Bus Signs". Mr. Markham seconded the motion.

New Business

Mr. Markham told the Board he had an inquiry from Mr. Baron of Pine Hill Road as to the status of the survey to establish the line between Westford and Chelmsford. Mr. Markham stated that the County Engineers have spent some time there and it would be appropriate to send them a letter of inquiry to find out when they were planning to go back and finish the survey. Mr. Lannan stated that this job was finished and that Chelmsford and Westford had agreed to share the cost of the bounds. Mr. Markham stated that this was not the information Mr. Baron had received from the County Engineers which indicated that the job had not been completed. He suggested a letter be sent to determine the status and once that was determined, Town Counsel be asked if he could do research on the bounds to see if they were there for years if they have to be changed. The Board agreed to send this letter to determine the status of this survey.

Mr. Markham suggested that an inquiry be made of the East Chelmsford Fire Station Study group to see the status of their study. At the last Town Meeting, they came in with two or three different articles. They may have some different sites for the new fire station. Also, remind them that Town Meeting is approaching and there might be a possibility of revenue sharing money being used for that purpose. We should also offer them the use of the Town Counsel for the drawing up of a more appropriate article.

Meeting Adjourned

Mr. Doody made a motion that the meeting be adjourned, Mr. Markham seconded the motion. The meeting was adjourned at 9:05 P.M.

For the Board of Selectmen,

by,

Members present

Regular meeting of the Board of Selectmen held November 13th, 1972, at 7:30 P.M. Members present were: Mr. Lannan, Chairman, Mr. Hart, Mr. Humphrey, Mr. Markham. Mr. Lannan presided. Mr. Doody was attending a business meeting in Pennsylvania. Mrs. Haines, Administrative Assistant was present at this meeting.

Reporters present

Reporters present were:
Chelmsford Newsweekly, Ann Marie Kierce.
Chelmsford Sentinel, Mr. Jerry House.
Lowell Sun, Mr. Gus Webster.
WCAP, David Weiss.

Warrant Articles for 1973 Town Meeting

Mr. Lannan stated that all Warrant Articles for the 1973 Town Meeting must be submitted no later than Tuesday, January 2nd, 1972 and all Annual Reports must be in before January 15th, 1972. He asked Mrs. Haines to notify all the department heads of these dates.

Article for Town Meeting regarding Town Clock

Mr. Lannan stated that we received the following communication from the Tower Clock Specialists, Waltham, Mass. in which they submitted the following quotation in regard to our request. They will alter the time mechanism of the clock to synchronous motor drive. The strike mechanism will be changed to our special motor drive with all contacts and connections to properly strike the hours. All wheels, arbors and bushings will be cleaned, inspected and replaced if they show excessive wear. The connecting tubes will be checked and tightened where necessary. New hammer chain will be installed if it shows wear. The strike motor will be a Bodine 1/8 h.p. and the time motor a Bodine 1/125 h.p. synchronous drive, 110 V, 60 cycle. The strike operating switches will be Mercoid Snap Controls. This type of rebuilding will give you synchronous time and will do away with the weights, cables, pendulum bob and the necessity of a man winding it each week. Your local or Town Electrician would install #14-2 grounded Romex or B-X wire, on a separate circuit, to the utility box on the small motor bracket provided by us. Our workmanship, material and motors are guaranteed for a period of one year from the date of installation. The cost of the work outlined above would be $ 994.00 movement wiring included. The strike mechanism could still be used manually at any time or converted to electrical operation at a later date at a cost of $395.00 to convert the time side only. Mr. Lannan stated that if we thought the cost was reasonable enough, we would submit it as an article for the Town Meeting. The Board agreed to submit this bid for a budget item at the Town Meeting. Mr. Humphrey stated we have paid for repairs in the amounts of $2,000.00 to $3,000.00 to date. What we have spent for this clock over the last ten years has been a waste of time.

Letter stating Middlesex County Training School should be used as a Community College

Mr. Lannan read a letter to Senator B. Joseph Tully from Mr. Raymond Leavitt, copy of this letter sent to the Board of Selectmen. In the letter, Mr. Leavitt spoke of the need for a facility such as SHARE and expressed regret that in spite of the need, it had been opposed at the Shaw Hospital, and now was being proposed for the Middlesex County School. Mr. Leavitt stated that he felt the best use of the training school would be for the Middlesex Community College. He commented that it would take very little money to convert it to this use and it would be beneficial whereas it was close to Route 3. If this were done, Mr. Leavitt suggested that the present Middlesex Community College in Bedford could be converted to SHARE facilities.

Letter from Mr. House in regard to 100% evaluation

Mr. Lannan stated that as a result of a request from Mr. Humphrey to the Board of Assessors, we received the following letter from Mr. Charles A. House. In accordance with your request pertaining to the collection of receipts in 1971 and 1972 as a result of the 100% evaluation, the attached information is herewith forwarded. Please be advised that a revaluation or equilization program does not effect the collection or receipts. Tax rates are established to provide the exact amount of money required to be raised as a result of action taken at Town Meetings. The required amount of money has to be raised regardless of what the valuation may be. As you can readily see from the enclosed figures, the amount of money to be raised by taxation for 1972 exceeds the amount that had to be raised in

100% evaluation (cont'd.)

1971. In spite of the fact that our 1972 estimated receipts (because of increases in the Cherry Sheet estimates) substantially exceeded the estimated receipts of 1971.

Survey - 146 STOP signs in the Town of Chelmsford

Mr. Lannan read a letter from Mr. Russell Kerr, EEA. Mr. Kerr informed the Selectmen that there were 146 STOP signs in the Town of Chelmsford. The Selectmen had requested that a survey of the STOP signs be made. Mr. Markham stated that one of the reasons for requesting the survey was that some type of a list of priorities could be established by the Police Department Safety Division to have many of these stop signs approved by the State. Mr. Lannan said that to his knowledge the only way this could be done was to do a survey of the auto count and accidents in the area. Mr. Markham stated that this should be done. Mr. Markham stated that he was not concerned with what has happened in the past the danger still exists at many of these intersections. Mr. Markham said that we should try again, the personnel in the Department of Public Works in Boston may have changed and their feelings may have changed. Mr. Lannan said that there would be a problem if there wasn't sufficient money in the police budget to have an officer do a 48-hour survey on all these signs and complete an accident account report. We don't have a measurer and it is difficult to get one. Find out what the present procedure is to legalize any one STOP sign and have Bob Germann put this in writing to us. 99% of our signs are illegal. Mr. Humphrey stated those signs that we have are not legal. Obtain the exact procedure from the State to have them legalized. Also, have the Police Department establish a priority list. I think only two of the STOP signs are legal.

Correspondence regarding Hatch Act

Mr. Lannan read a notice from Commissioner Bruce Campbell that stated under the new Conservation Law, any wetland that is to be altered must first go to the Conservation Commission or to the Selectmen if there is no Conservation Commission 60 days prior to the work beginning. A copy of this notice must be sent to the State. In regard to this, Mr. Humphrey commented that the Board had asked Town Counsel to explain to them their responsibilities under the new legislation on the Hatch Act . Ask Town Counsel to answer that request to see if we may have some function that we are not performing on the Hatch Act.

Request for legal opinion from Attorney Zaroulis

Mr. Humphrey stated regarding legal opinions that Attorney Charles Zaroulis who had been hired for his legal opinion on the Demoulas matter still had not rendered his opinion. We have received a letter from the Building Inspector stating that he believed there is a violation of our zoning by-laws. Send a letter to Mr. Zaroulis asking him for a date that he will furnish a legal opinion on the zoning at the East Gate Shopping Center. Mr. Lannan asked that a list be made of all correspondence that we are awaiting answers on from Town Counsel and the departments heads.

American Ambulance Service Contract

Mr. Lannan read a letter from Mr. Ronald A. Pick, American Ambulance Service, Inc. which stated: As per request of the Selectmen at their meeting of 11-6-72. I am enclosing a sample contract and this letter of explanation as to what this contract has covered in the past. Also contained herein, is a self-explanatory chapter as to reason for increase in price. The ambulance contract was written for the purpose of guaranteeing the residents of the town, that an ambulance would be available to them should the occasion arise at anytime of day or night. We have supplied this service for the last seven years and have never failed to dispatch an ambulance immediately whenever requested. The contract also covers free ambulance transportation to all Town Employees who are injured while working, to a local hospital. We cover all fires, when requested, at no charge and also all Town functions, if requested, at no extra charge to the Town of Chelmsford. Last year we responded to 71 no-service calls in Chelmsford at no extra charge and did 478 transfers to or from the Town, forty-five or which are not yet paid. We, also, collected $2,715.26 from the Chelmsford Welfare Dept., $11,889.00 for private calls and $6,000 for the face value of the contract, making a total income of $20,604.26. It costs $68,000 per year to man one ambulance

American Ambulance (cont'd.)

at $2.00 per hour, as it takes eight men to have coverage for 24 hours a day, 7 days per week. Up until last year, the cost of this ambulance was split three ways between Dracut, Tewksbury and Chelmsford. Last year, the Town of Tewksbury put an ambulance in the Fire Dept. at a cost of over $100,000 and ran 500 calls for the year. This means the taxpayers were paying $200 per call to have the ambulance in town. In October, the ambulance was in an accident and they totalled out a new 1971 ambulance at a cost of $19,000. As you can see from the above paragraph, it costs plenty to run an ambulance service effectively. But, because of the facts that I have many ambulance calls, approximately 10,000 per year, I can operate much cheaper than a municipality and do it much better. Our complete crew of men have taken the latest Emergency Medical Technician Course as required by the Federal Government. We are the first ambulance service in the state to meet this requirement. In the past year, we have upgraded the service to where no other service in the state can meet our qualifications, or even compete with our performance. We, now, have direct radio communications with the hospital doctors in the Emergency Room of all hospitals. Our equipment is of the latest style and in the near future, we hope to have a new Cardiac Unit in operation for your convenience and protection. As you can see, the days of picking up a patient for transportation only, are gone forever and it takes trained, skilled hands to prevent further damage and loss of lives. We do our First Aid at the scene and in the ambulance enroute to the hospital. We have suction, oxygen, resuscitators, bloodpressure bands and stethoscopes in each unit and use them constantly. Our present rate for ambulance transportation is a base charge of $38.00 plus $1.00 per loaded mile. I am very proud of the fact that I have not received one formal complaint against the ambulance for over two years. Mr. Lannan stated that we had asked Mr. Pick for this information for the Board to review before asking Mr. Pick to meet with the Board to discuss the contract. Mr. Humphrey stated that he thought Mr. Pick had spelled out what we had asked for, it is a question of dollars. We should go ahead and put it as a budget item and explain the increase in cost. Mr. Markham stated that we would ask him to come in again to discuss the contract. Mr. Pick gave the cost to the Town of Tewksbury for their ambulance in which they charged the total cost up to one year. They should pro rate it over a period of years. Mr. Humphrey stated that we are not going to be able to negotiate with this man, this is his figure. We either take it or nothing. Mr. Lannan stated he was on a committee to see about having a Town ambulance and it would cost the Town $78,000 per year. Mr. Markham stated that there was an increase of $2,500 and he felt the Town's people should at least know an attempt to discuss this contract was made. The Board agreed to ask Mr. Pick come in next Monday, Nov. 20, 1972, to discuss the contract.

Rec. Comm. Request to meet with Sel.

Mr. Lannan read a letter from Mr. William Dempster asking that the Selectmen meet with the Recreation Commission to discuss their budget. The meeting will be held November 20, 1972.

Board voted to post "NO Hunting" Signs at Crystal Lake

Mr. Lannan read a letter from the Police Dept. recommending that NO HUNTING signs be posted at Crystal Lake. This was in response from people in the area who stated the Crystal Lake area was being used for a hunting ground. Cheif Germann stated it was the responsibility of the owners to post these signs. Since the Town of Chelmsford is the owner of the lake, Mr. Hart made a motion to have the Crystal Lake bed posted for NO HUNTING, Mr. Humphrey seconded the motion.

Status report on Crystal Lake Survey

Mr. Humphrey asked isn't it a fact that the $6,000 engineering survey is underway and it is only a question of that being completed before action can be taken by the Board? Mr. Hart stated that we have not yet received the engineering report. Mr. Humphrey asked that a letter be sent to the Chairman of the Crystal Lake Committee, Mr. Polubinski, for a status report on Crystal Lake.

Safety Hazard on North Road

A letter was read from the Sgt. Adams of the Police Department bringing to the attention of the Board of Selectmen a serious safety hazard that exists at present on North Road, where it intersects with many side streets. Recently, we have had some serious accidents, plus some close near misses, as reported to us by motorists, along the stretch of North Road at the intersections of Claude, Manwell, Gregory Roads, etc. We have surveyed these streets and find that upon approaching North Rd., when travelling up these streets, it is very hard to realize that you are approaching an intersection. As a result, we are having cars shoot out onto North Road, unaware of the dangers involved, and as a result we are having accidents, or as stated before near misses. We recommend, with the approval of the Board, that stop signs be erected on the following streets where they intersect with North Road, and that the word "STOP" be painted on the roadway: Manwell Road and North Road, Claude Road and North Road, Gregory Road and North Rd., Orchard Lane and North Road, Montview Road and North Road, Rainbow Avenue and North Road, Colonial Drive and North Road. We feel that these signs should be erected before we have a fatal accident at one of these intersections. Mr. Lannan stated the only way you can get into the line of traffic is to shoot out. Nobody will allow anyone to come up onto North Road. There is a continuous line of traffic from 7:00 A.M. until 8:30 A.M. Mr. Humphrey asked if there was money in the budget for these signs. He also stated that STOP signs are not going to stop the cars. The Board agreed to have the word "STOP" painted on these roads and also to see if the Highway Department has enough money in their budget for the STOP signs.

Install STOP signs at intersections at North Road

Paint STOP on roads

Mr. Lannan read a letter from the Highway Superintendent informing the Board of Selectmen that the six additional men hired for tornado cleanup will be terminated this Wednesday, November 15th,1972.

Term. of 6 men hired by Hghy. Dept.

Mr. John Montminy of the Palmont Corporation submitted a layout of the proposed pizza shop. The Building Inspector approved the proposed shop as of 11/7/72. He also submitted a copy of the permit to operate a food service establishment signed by Mr. Thomas Morris, Director of Public Health. He brought in a brochure on fast food companies for the Selectmen's review. Mr. Lannan stated that he was not present at the last meeting with the Palmont Corporation and asked that Mr. Montminy give him some information of the proposed shop. Mr. Montminy stated that it would be located in the Marshall's Rug Department. There would also be a discount hardware store next to it. In answer to Mr. Humphrey, Mr. Montminy stated it is not a franchise. Mr. Montminy said that the by-laws required nothing specific on seating and Mr. Morris siad that 16 seats would be alright. Mr. Humphrey told Mr. Montminy to look at the State laws. Mr. Montminy stated that he knew it would be covered with 16 seats. Mr. Humphrey stated that all his questions had been answered by the layout and the Building Inspector has passed his judgment on it. He was told the name would be "Zesty Pizza". Mr Montminy told Mr. Lannan the hours would be from 11:00 A.M. to 11:00 P.M. seven days a week. Mr. Montminy also stated that there will be no music or no pieces of pizza served, just whole pizzas or nothing. Mr. Markham noted that the Palmont Corporation has expanded since their last meeting, there are now 6 people. Mr. Montminy stated that they are directors of the corporation. The main parties will be myself and James Gatzogiannis, who has been in the business for 12 years. Mr. Montminy stated this would be their first operation. He stated he had worked with Mr. Gatzogiannis for "Famous Pizza" in Saxonville. We are still waiting for the stores to open in Westford to open another operation. In reply to Mr. Markham, Mr. Montminy stated they would serve pizza, spaghetti, spahgetti sauce, and a coke machine. Mr. Markham asked if they had taken a survey to determine the need and Mr. Montminy stated that the shopping center traffic alone would provide a need. None of the officers live in Chelmsford. Mr. Montminy stated that he planned on employing people from the Town. Mr. Markham asked that through the press, another date be publicized for the decision of Zesty Pizza which would allow the citizens of the Town to be heard. Mr. Montminy pointed out that the press had already publicized the other meetings and he felt if there were any objections, people would have brought them out at this point. Mr. Markham moved

Building Insp. and Health Dept. approval of proposed pizza shop

Vote on Palmont Corp. permit Dec. 4, 1972

to have the Board establish a date and time at which time the application would be discussed and any residents of the Town would be welcome to be heard. There was no second to this motion. Mr. Humphrey stated that he would reconsider seconding the motion and set up a night when the Board would take a vote on this application and see if any people have any comments on this proposed pizza shop. Mr. Hart stated that he would not be present two weeks from tonight and suggested that the Selectmen meet December 4th to vote on this license. The Board agreed to this date.

Take action on hydrogen storage permit Nov. 20, 1972

Mr. Lannan asked the Board if they were desirous of making a decision on the hydrogen storage application. He stated the first hearing was held Sept. 25, 1972, and the second hearing was held October 30th, 1972. This has dragged out for a good 6 or 8 weeks now, and I feel that the Board should take some type of action. Mr. Hart moved that we hold this application until we have a full Board. Schedule this for November 20th, 1972, for action by a full Board. Mr. Markham stated that on the motion, I am not in agreement with an additional delay. It appears that since this application came in, we have not been able to have a full Board. I was ready to vote after the first hearing. In the interest of the applicant and also the interested parties of the Town, the application should be voted on. It has been approximately 3 months, and I think it is about time that we decide to take action. Mr. Lannan stated that he could render his vote tonight. Mr. Hart stated that he thought the people deserve to know that the full Board has voted on this application and this is why he thought we should have a full Board. Mr. Lannan stated that he might not be able to attend the next meeting and if he wasn't there, would the Board accept his proxy vote. Mr. Humphrey stated that Mr. Doody has had a great deal to say on this matter. I think we can afford to wait another week. I think we should give Mr. Doody the courtesy. Mr. Lannan stated that if he had been able to get in touch with Mr. Doody, he would have gotten Mr. Doody's vote by proxy. Mr. Humphrey stated that we might contact Mr. Doody and if he will not be present at the next meeting, have him give a proxy vote. The motion to hold this application for a full Board made by Mr. Hart was seconded by Mr. Humphrey. Mr. Lannan agreed with this motion. Mr. Markham apposed this motion.

Letter from Bldg. Insp. - Larson's Auto. Service is in a C.B. District

Mr. Lannan read a letter from the Building Inspector in regard to the application of Mr. Toure F. Larson for a Third Class License. The letter stated that in the case of Larson's Automotive Service in No. Chelmsford, Mass., it falls into a C.B. District (Roadside Commercial District) according to the Zoning By-Laws of said Town. Section V, Use and Intensity Regulation under business uses--permitted uses are commercial greenhouses, home occupation, retail stores and service, auto sales room, wholesaling, business office, funeral home, motor vehicle repair, filling station, printing shop, private parking, public parking, restaurants, nursery day school, nursing or convalescent home--no industrial uses are permitted. Institutional uses according to Section V, Use and Intensity Regulations, permitted uses are municipal buildings and hospitals. I believe this should clarify the situation. Mr. Markham stated that he didn't think Mr. McHugh answered the question. Mr. Humphrey stated that he told us what the permitted uses were. Mr. Lannan asked why the Building Inspector couldn't tell us yes or no. Mr. Markham asked for further clarification and also if this CB was on Butterfield Street as the maps indicated the bounds were on the right side of Butterfield Street. Mr. Humphrey stated that this is pretty definite that it is CB and in CB, a junk yard is an excluded or prohibited use. Mr. Markham asked if this applicant was seeking a junk yard license. Mr. Humphrey stated that a Class III license is for junk cars. Mr. Lannan stated that Class I is for new cars, Class II is for used cars, and Class III is for junk cars. Mr. Lannan asked if the Board was desirous of taking any action on this? Mr. Humphrey made a motion to deny the application because it is in violation of the Zoning By-Laws per the Building Inspector's report. Mr. Hart asked that a letter be sent to Mr. Larson notifying him of the Building Inspector's report. Mr. Lannan asked if the Board was desirous of sending this letter. Mr. Humphrey stated that he would withdraw his motion. The Board agreed to send a letter to Mr. Larson notifying him of the Building Inspector's report and asking him if he wished to withdraw his original application without prejudice. Mr. Markham requested the intended use of the building presently under construction. He asked that the Building Inspector give us the date of the building permit and what it was for.

Ask Mr. Larson if he wishes to withdraw application

The Board agreed to have the Environmental Advisory Committee meet with them on December 4th, 1972, to discuss the implementation of a recycling program and any new proposals they might have.

Env. Adv. Com.

Mr. Lannan stated that he would like the Board's concurrence to enforce the covering of these trucks who are hauling gravel over the Town roads. I have witnessed these trucks on North Road and Rte. 129 and these trucks are not covered. The Police Department should enforce these rules. Mr. Hart agreed and stated that this is probably the 7th or 8th time we have talked about this. It is a State Law and the trucks have to have covers. Mr. Humphrey pointed out the condition of Westford Street from the intersection of Bridge St. to Route 3 from these trucks. Mr. Hart stated that some of these trucks are covered but they may be overloaded and when they take corners, they lose the gravel. Mr. Lannan stated that we will have the Police Department take this up with the Registry of Motor Vehicles.

New Business

The Selectmen agreed to meet Thursday night at 7:00 P.M. to discuss their budget.

Mr. Lannan stated that we received a resignation from Mrs. Velma Munroe from the Board of Appeals. He recommended that the Board move S. Robert Monaco as a regular member. Mr. Hart moved to appoint S. Robert Monaco to the Board of Appeals. Mr. Markham seconded the motion. Mr. Lannan asked that the Board bring in some more names for another alternate member.

Mr. Lannan stated that is is always interesting to note when the Town saves money. Due to the consolidation with other towns and cities, we have realized a $4.00 per ton savings over last year for road salt. The bidders were Chemical Corp. $11.50 per ton, International, $12.45 per ton, Eastern Chemical, $11.95 per ton. These prices prevail for the duration of the contract. The contract is to be written for January 1, 1973 to June 30, 1974. The Board agreed to purchase the salt under the consortium in which the low bidder was the Chemical Corporation.

Mr. Markham stated that in looking over the Butterfield Street area, he had noted that a junk yard in the rear of Butterfield Street which had a license issued in 1966 had not provided and maintained a fence around the yard which had been a condition of the license issuance. He asked that this be looked into together with the fact that a trailer had been parked for sometime on Sleeper Street. Mr. Lannan stated that he would ask the Building Inspector to investigate the trailer and when this answer is received they will send a letter concerning this and the fence to the owner. Mr. Humphrey stated that it was a requirement that the fence be maintained.

Mr. Hart moved to adjourn the meeting, Mr. Humphrey seconded the motion. The meeting was adjourned at 8:50 P.M.

Meeting Adjourned

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen held November 20, 1972, at 7:30 P.M. Members present were: Mr. Lannan, Chairman, Mr. Hart, Mr. Doody, Mr. Humphrey, Mr. Markham. Mr. Lannan presided. Mrs. Haines, Administrative Assistant was present at this meeting.

Members present

Reporters present

Reporters present were: Chelmsford Newsweekly, Mrs. Ann Marie Kierce.
Chelmsford Sentinel, Mr. Jerry House.
Lowell Sun, Mr. Gus Webster.

Thanksgiving Proclamation

Mr. Lannan read a proclamation from Governor Francis W. Sargent which read: Whereas, Our early settlers gained strength in their devotion to God, thus enabling them to survive in an unknown and savage land and to be able to live in peace with their Indian neighbors: and Whereas, 1621 had been a year of bitter struggle "hunger threatened, starvation lingered" but it had not crushed the spirit of the first settlers of the Plimoth Plantation; and Whereas, Pilgrim Governor William Bradford sent four men hunting for game in the New England wilderness so that the Pilgrims might share in their bounty with their Indian neighbors and together give thanks to God for His companionship and His blessings; and Whereas, Peace has come and gone many times since the passing of the first food from settler to Indian and constantly serves as a reminder to be thankful for the courage of our forefathers and their faith in God which enabled them to build this nation into what it is today; and Whereas, All citizens are asked to assemble in their places of public worship and to meet with loved ones to give thanks for the "blessings of providence and grace", so that we can enjoy peace and tranquillity now and forever; Now, therefore, I, Francis W. Sargent, Governor of the Commonwealth of Massachusetts, do hereby proclaim as a day of THANKSGIVING AND PRAYER November 23, 1972, and urge all the citizens of the Commonwealth to renew their determination in assisting all by contributing to all charitable organizations so that the spirit of Thanksgiving shall continue all year. Mr. Hart moved in favor of this proclamation, Mr. Humphrey seconded this motion.

Letter from Dog Leash Law Study Committee

Mr. Lannan read a letter from Mr. William L. Ary, Chairman, Dog Leash Law Committee, which stated: During the past five months the Dog Leash Law Committee has conducted a study of the leash law. We have polled the local citizenry through the local newspapers, community associations and through personal contact. On the basis of the information obtained, the Committee makes the following recommendations: 1. Properly implement with personnel and equipment to carry out the required duties during the 84 hours per week that the existing law applies. 2. Completely enforce the existing law, including prosecution of offenders. 3. Provide for reasonably prompt communication with dog officer (s) at all times. The Committee feels that these three things will adequately meet the needs of the community. The Committee considers that this report terminates our basic obligations; however, the Committee's members will be pleased to meet with the dog officer for any discussions he might desire. Mr. Lannan stated that the Committee has indicated that after 5 months, the Dog Leash Law for the Town of Chelmsford is a good law. There are recommending the proper implementation and enforcing the law. Mr. Hart stated that without saying it, you can't handle it with just one person. Mr. Lannan stated that if there was any further funding under EEA after the equipment is repaired at Nashoba, we could give the Dog Officer some help. Mr. Humphrey stated that the Leash Law is a complete flop because it is not enforced. Mr. Doody stated that we should send a communication back to make recommendations for the Town Meeting for assistance and enforcement of the law. The Board agreed to sending this communication to the Dog Leash Law Study Committee.

Article for sidewalks for North Road

A letter was read from the Planning Board recommending that the Highway Department install sidewalks on the easterly side of North Road from the High School to Dalton Road. Mr. Lannan stated that we had another petition from a group of residents in that area for sidewalks. We had Mr. Rondeau determine the cost of this sidewalk, and when he comes up with the per foot cost from Dalton Road to North Road at the High School, we will put these figures in an article for the Warrant at the 1973 Annual Town Meeting.

Mr. Lannan read a letter from C. F. Mistretta, District Highway Engineer, Department of Public Works, Commonwealth of Massachusetts which stated: This is in answer to your letter dated November 6, 1972, relative to a request to install school bus signs on various State roads in the Town of Chelmsford. Please find enclosed a copy of specification 7B-11 of the Manual on Uniform Traffic Control Devices which is self-explanatory. Accordingly, this office denies permission to install school signs at the requested locations. Mr. Lannan stated that he didn't know why they have denied this permission. Get in touch with the Highway Engineer. He gave us an excerpt from 7B-11 which is a School Bus Ahead sign. Mr. Markham asked if the Highway Engineer was referring to the School Signal signs. Mr. Lannan stated that these were the school signs reading Be Cautious of School Buses 6:30 A.M. to 6:30 P.M. which had to be approved by the State. Mr. Hart stated that it wasn't spelled out in the letter the kind of signs.

Letter from C.F. Mistretta School Bus Signs

Mr. Lannan read a letter from Mr. Herbert P. Phillips, Kazarosian, Allison and Phillips Law Offices, in regard to Leon Podgur, 6 Davis Road, Easement Problem which stated: Please be advised that this office represents Leon Podgur. Enclosed is a letter sent to his neighbor. Could you please lend us some assistance. Somehow, we think the Town has an interest or bearing on this problem, and we would sincerely appreciate your assistance. Thank you for your consideration and cooperation. Mr. Lannan stated that this is on Davis Road and this is where the Town spent almost $5000 just so we would not have this type of a problem. We dug up Davis Road and put larger drainage pipes in there. I am not sure whether we have something there or not. Forward this letter to Town Counsel so that he can be aware of this and that the Town does have some bearing on this. Mr. Markham stated that from all indications, it is a very serious problem. I think the Highway Dept. and the Fire Dept. spent a good number of hours there today. It is affecting 3, if not, 4 homes in the area. I would suggest that it go to Town Counsel. This would be in the interest of the people in the area who are quite concerned and it appears there is some type of an easement as stated in their deed. There are only 4 parcels involved. Have Town Counsel search those deeds. The Town might have some responsibility there. This easement, as stated in some of the deeds, goes back prior to the time of those homes being built. Mr. Lannan stated that there are 2 or 3 parcels covered by the easements, one person did not give us an easement so we had to go up the road. Mr. Humphrey stated that Town Counsel should be made aware of this letter. Also, ask the Fire Dept. their reason for being there and ask the Highway Dept. what the easements are in there and give us their opinion. Mr. Markham requested that we ask Town Counsel as this is a very serious problem and we want an answer immediately. If the Town has any responsibilities of the Town doesn't, I think the people should know this. Mr. Humphrey stated that you don't have to go to Town Counsel to find this out, you can go to the Highway Department. The Town Engineer should have this information.

Easement Problem on Davis Road

A letter was received from Mr. Thomas Morris, Board of Health, requesting the use of Town Counsel in regard to a Sanitary Code Violation on Glen Avenue. Mr. Humphrey asked if this was the same case where they were patting themselves on the back for not needing Town Counsel. The Board agreed that they could use Town Counsel.

Bd. of Health Req. to use Town Counsel

A letter was read from Mr. Donald Stevenson, Gilet Wool Scouring Corp. requesting that the following employees be named as sworn weighers for the year 1972: Francis J. Sakalinski, William J. Gilet, Ovila Sirois, Leo Gendron, John Bomal, Peter F. McEnaney, George W. Ingalls, Frederick P. Simpson. Mr. Hart moved in favor of appointing these employees, Mr. Humphrey seconded the motion.

Appoint Sworn Weighers for 1972

Mr. Lannan read a letter from the Police Dept. recommending a stop sign at the intersection of Ideal Avenue and Linwood Street, with the stop sign located on Ideal Avenue.

Stop sign on Ideal Ave.

Mr. Lannan read a letter from the Police Dept. in reply to our letter of Nov. 14th, 1972, requesting that the Police Dept. investigate a junk type trailer extending out into Sleeper Street. The letter stated that this matter was in-

Junk type trailer on Sleeper St.

Junk trailer on Sleeper St (con't)

vestigated on November 14, 1972, and this condition did exist. Mr. Frank Bowman, the manager of the junk yard at this location, was interviewed in regards to this situation and ordered to remove this trailer from the roadway and back onto his property. He informed me that he would do this immediately. A further check on Nov. 16, revealed that the trailer had been removed from Sleeper Street. Mr. Markham stated that the trailer was there at 4:30 P.M. today. It is back there again unregistered, unlicensed vehicle in the roadway. The Selectmen requested that the Police Chief submit a written report on this situation for their review.

Application for Bd. of Appeals

Mr. Lannan stated that we have a letter from Mr. Ed London regarding the Board of Appeals vacancy. The Board will hold this appointment for further consideration.

Discuss Rec. Comm. Budget and Future Plans

The Recreation Commission met with the Selectmen to submit and explain their budget for the next 18 months and inform them on the future plans of the Commission. Wm. Dempster, Al Wood and Edward Quinn represented the Recreation Commission. Upon hearing the report, the Selectmen praised the work the Commission was doing for the recreation of the Chelmsford citizens. Speaking for the Commission, Mr. Dempster thanked the Selectmen for the use of the West Chelmsford Fire Station for storage. This is the first time that an absolute control could be kept over the equipment as before it was stored in various people's homes. He also stated that they do not turn down any boy or girl and when you operate on this basis it costs. He referred to other towns that handpicked their players. Mr. Humphrey commented that these recreational facilities were provided at a cost of about $5.00 per family. Mr. Doody stated that this program represented opportunities for young people in Chelmsford at about $18.00 per child. In discussing the future plans of the Commission, the Selectmen offered the use of some Town equipment for landscaping at the Robert's property. The Selectmen also advised the Commission to file a separate article at Town Meeting for the cost of the planned engineering survey of this property and at the South Row School. Mr. Dempster also spoke of the marshy pond on the Robert's property which would be suitable for public skating if the undergrowth could be cut. He said the soil is too wet to bring heavy equipment in. The Selectmen said they would meet with the Recreation Commission, the Highway Superintendent, and the Jaycees to view this area for a feasible solution. Mr. Woods also presented to the Board the possibility of flooding the are at the Junior High School commenting lights are already there. The Selectmen said they would also view this area for flooding for public skating.

Vote to grant hydrogen storage permit at Silicon Trans. Corporation

The final vote was taken by the Selectmen on the storage of 49,000 cu. ft. of hydrogen at the Silicon Transistor Corporation. Mr. Humphrey moved to grant the license for the storage of hydrogen. He stated that from what he has seen in the area and his reactions to the petitioners for the application of the storage, he would grant this permit. Two weeks ago last Friday, he toured the premises alone, looked at the location of the proposed tank installation and viewed the proximity of the existing dwellings. One observation that he made was if anything could happen to the dwellings, the whole plant would have to go first. These dwellings are blocked by the plant. He didn't see anything threatening to the existing dwellings. He also stated that we should be receptive to industry coming in to our Town and make them feel as though we are trying to make their stay in our Town comfortable, a place to stay and build with us. He also stated that an application such as this always brings some controversy. He thought that from what he had heard from engineers and experts in the field, he had been satisfied that this is a safe installation. There have been some alarming statements made by amatuers. Mr. Humphrey moved to grant this permit subject to all of those safety requirements spelled out as being required by the Dept. of Public Safety and the Fire Department and any other conditions that we made in considering it. Before the permit is issued, an inspection must be made by the Fire Department to see that all the safety features have been made. Also, a certification that the ventillation is adequate by a certified engineer. Mr. Hart seconded the motion. He stated that he thought all the facts had been brought out. A lot of emotional statements were made before people knew all the circumstances that were involved. This is a different type gas than what is stored in Tewksbury. It is nowhere near as dangerous if handled correctly as what is stored in Tewksbury.

Vote to grant hydrogen storage (con't)

Mr. Hart also added to the motion by Mr. Humphrey stating that if they ever close or partition sections of the building, they will be required to have adequate ventillation to the outside. Mr. Lannan stated that we asked Town Counsel for an opinion regarding abutters. A question brought up at the second hearing concerned an abutter who allegedly had not been notified of the hearing. Mr. Lannan stated that the Selectmen were in receipt of notification of the hearing which was signed by one John Polewarcyck. Mr. Lannan read the letter from Town Counsel which ruled that abutters are those who are abutting or directly across the street from the site in question. The list of abutters should be taken from the most recent tax list. Town Counsel also stated that the person who claimed at the hearings he was not notified was recorded as attending both hearings and a voluntary attendance at the hearing automatically dispenses with the formal notice. He recommended that in the future, the notification be sent to both husband and wife. Mr. Markham told the Board that the person who claimed he was not notified was not John Polewarcyck but another person named Polewarcyck. Mr. Doody told the Board he was going to vote in favor of this permit. He stated the issue was a bit involved and perhaps statements were made by people which caused an inflammatory situation. He felt the main problem was a lack of communication. Mr. Doody commented that both State and local Fire Departments had given their approval and the hearing had provided an opportunity for the residents to be heard and recommend some of the safety improvements. He also stated that the company had acted in good faith to allay the fears and meet safety requirements. This permit would allow them to stay in business in a competitive way. He thought Mr. Humphrey's motion was quite appropriate with all these conditions. Mr. Markham stated that he would vote against the application. He stated he had viewed the property after the first hearing and heard arguments from both sides. He agreed that perhaps some of the statements were given in an emotional state, however, the company expansion was done without a permit in hand so I don't think there is a definite hardship on the company if it did not receive the permit. Mr. Markham stated that there were 26 houses in the area that were there long before the industrial park. He felt sure that many of the arguments and assurances that were presented to the Board were also presented in Tewksbury when that installation applied for its permit. I vote against. I don't feel that those people living in those 26 homes should reside in fear. Those homes in the immediate area are a major concern of mine. Mr. Lannan said the area in question was zoned for industry and he questioned why the people had not spoken up at Town Meeting when this area was zoned. He also stated that in recent months he had tried to become an expert in hydrogen gas but found he could not do it. He stated that he would have to rely on the experts such as the Fire Chief and the State Fire Marshall who had knowledge in this field and had recommended that this installation was safe. Mr. Lannan stated he had been very close to the man who was killed in the Tewksbury explosion, but to compare the two situations was like comparing apples and oranges. Hydrogen gas is not propane gas. Mr. Lannan, Mr. Hart, Mr. Doody, Mr. Humphrey voted in favor of granting the license. Mr. Markham was opposed to this license being granted. The motion passed on a 4 to 1 vote.

Mass. League of Cities and Towns

Mr. Lannan stated that he had attended the Mass. League of Cities and Towns meeting last Friday and there was a folder with this information in Mrs. Haine's office.

Selectmen's Insurance

Mr. Lannan stated that at the Mass. Selectmen's Association meeting held in Hyannis, there was a brochure on the indeminification of public officials. It stated the increase in the number of suits that were being brought against public officials. The Board agreed to forward the Proposal for Public Official Liability (Selectmen)to Alexander and Alexander. They asked them to forward a quotation for this insurance and also would they advise the Selectmen as to whether or not this insurance could be obtained by School Committee members. Mr. Lannan stated that this could be put as an article or a budget item if approved by the Board.

New Business

Mr. Humphrey asked the Board to set up a meeting between the Capital Planning and Budgeting Committee, the Finance Committee and the Selectmen to discuss the possible uses of the Revenue Sharing monies in 1973. This has to be decided by January 1st. This meeting was scheduled for November 27th, 1973.

Mr. Doody requested that Mr. Blackadar, Town Accountant, be named as a voting member of the Capital Planning Committee. Mr. Humphrey seconded the motion.

Mr. Markham stated that Mr. Pick of the American Ambulance Company had not shown up for his scheduled meeting at 8:00 P.M. The Board agreed to have Mr. Pick set up another time to meet with the Selectmen.

Mr. Humphrey asked Mr. Webster of the Lowell Sun if he had any questions from the Selectmen. Mr. Webster said he did not. Mr. Humphrey stated that Mr. Webster had written in his article on the Zesty Pizza application that Mr. Humphrey "at first disagreed but then consented" to the meeting on December 4th, 1972. Mr. Humphrey stated that Mr. Webster had misquoted him.

Meeting Adjourned

Mr. Humphrey moved to adjourn the meeting. Mr. Hart seconded the motion. The meeting was adjourned at 9:15 P.M.

For the Board of Selectmen,
by, Marion C. McCready

Regular Meeting of the Board of Selectmen held November 27th, 1972 at 7:30 P.M.

Members present

Members present were: Mr. Lannan, Chairman, Mr. Humphrey, Mr. Doody. Mr. Hart was on vacation. Mr. Markham was attending an open house at the school where he is a staff member. Mrs. Haines, Administrative Assistant was present. Mr. Markham arrived at this meeting at 8:45 P.M.

Reporters present

Reporters present were: Chelmsford Newsweekly, Mrs. Anne Marie Kierce.
Chelmsford Sentinel, Mr. Jerry House.
Lowell Sun, Mr. Gus Webster.

Rep. of Lions, Kiwanis, and Rotary sign proposal

Mr. Ralph House, Rotary, Edward Finn, Lions, Donald Butler, Kiwanis, represented a consolidated effort on the part of the service organizations in Town and met with the Selectmen to explain their proposal. It is their intent to take all of their signs which appear at various entrances to the Town and place the three together on a single structure. The proposed locations are: Littleton Road near the Elks, Boston Road at the Intersection of Concord Road, Chelmsford Street near Henry Perham Park, North Road near the High School, Billerica Road near Mill Road, and Acton Road near Elm Street. The feeling of these three clubs is that the consolidation will look better. Some of the areas they plan for installation are on Town property and this meeting was necessary to obtain permission. The Building Inspector told Mr. House that these signs would be allowed because they were under the requirements. In addition to this permission from the Selectmen, the three organizations must also receive permission from some private property owners at certain locations.

Cost of sidewalks on North Road $158,000 plus

Mr. Lannan read a letter from the Highway Dept. in answer to a petition to the Selectmen, which estimated the cost of a sidewalk on North Road from Route 495 to the Route 3 Rotary at the High School to be approximately $158,000. This would include sidewalks on both sides of the street, or 15,800. Mr. Rondeau stated that this does not include the cost of taking down trees, excavation work, fill, land damage, installation of berm or curbing, etc. which would increase the cost considerably. The Board agreed to insert an article in the 1973 Warrant and inform Mrs. Lawrence McMahon, who presented the petition that will be placed in the Warrant by petition.

Request granted for Alpine Lanes to open at noon.

Mr. Hart moved to approve the request by Mr. George C. Hedrick to open Alpine Lanes on Sunday, January 14th and Sunday, January 21st, 1973, at 12:00 noon for the purpose of accomodating the bowlers in the Greater Lowell Bowling Association's Tournament. Mr. Doody seconded the motion.

Mr. Lannan read a letter from the Purchasing Agent, Robert Olson stating specific needs of the Town. He recommended construction of a salt storage shed, and also that a budget item be included to allow installation of one ten thousand gallon tank at one location with town-owned automatic metered dispensers. The wiring situation must be corrected in the Town Hall. As each new unit is added, the situation becomes more dangerous. He also recommended that aluminum louvers the size of the windows be installed to provide oxygen to the heating unit. The Fire Dept. inspector directed that six extinguishers be placed in the Town Hall. Mr. Humphrey stated that the installation of the vents and extinguishers were a must and we should budget for it. The Fire Chief should check the fire precautions. Mr. Doody stated that they were adding offices in the Town Hall and creating a fire hazard. He agreed to ask the Fire Chief to determine the needs and to adhere to State standards. Mr. Lannan instructed Mrs. Haines to look into the public building account to see if the $325 was available for these two items. Mr. Lannan also suggested that the wiring inspector look into the problem of electricity in the Town Hall.

Public Hearing for Hallberg; gasoline storage

The Selectmen, on a motion by Mr. Humphrey, seconded by Mr. Doody, agreed to advertise for a public hearing on the application of John D., John D. Jr., and Robert G. Hallberg of 26 and 28 Proctor Road for the storage of 8,000 gallons of above ground gasoline at 1 Central Square.

Removal of trailer from Sleeper St.

Mr. Lannan read a communication from the Police Department stating that the junk type trailer has been removed from Sleeper Street. Chief Germann stated that the manager of the junk yard, Mr. Frank Bowman has been ordered to keep the trailer off Sleeper Street in the future or the Police Department will initiate action of any violations of this nature.

Planning Bd. letter from Mr. deCiero regarding 3 lot subdivision on Old Westford Road. Request to be sent to Town Counsel asking his opinion on this matter

Mr. Lannan read a copy of a letter to the Planning Board from Mr. S. Anthony deCiero regarding a three lot subdivision plan submitted by Mr. deCiero of property located on Old Westford Road. Mr. deCiero stated that the Planning Board had exceeded their authority when they approved a three lot subdivision plan. One of the lots in question is 3,000 feet less than the by-law requirements. A motion was made by Mr. Humphrey to have Town Counsel to study the matter as a high priority item to determine if the Chelmsford Planning Board is exceeding their authority and if they acted properly in granting the permit. Mr. deCiero also stated in his letter that the State subdivision control law gives the Planning Board some leeway in waiving certain requirements, but the Planning Board has no discretion to waive lot size requirements. Mr. deCiero, still referring to the law, stated that section 81R specifically provides that the Planning Board rules and regulations shall not relate to the size, shape, width frontage or use of lots within a subdivision. Since the Planning Board may not make a rule in this matter, they may not waive a valid Town by-law. Thusly, Mr. deCiero urged the Planning Board to rescind the action taken by them on November 15, 1972, and to instruct the Building Inspector not to issue building permits. Mr. Humphrey stated it is urgent that this matter be sent to Town Counsel for investigation and to also see if the Planning Board has waived other cases in the past. The Selectmen said if could be very serious if there were clouded titles. Also the Planning Board and the Building Inspector should be informed as soon as Town Counsel responds. The Selectmen will ask Town Counsel for his reply by Thursday of this week.

Charter Comm. to handle printing & distribution of Charter.

Mr. Lannan read a letter received from Mr. Gerald Shea of the Charter Commission, which stated that the general laws of the Commission require the Charter Commission to submit their final report to the Selectmen no later than January 6th, 1973. It is then the responsibility of the Selectmen to see that the Charter question is put on the ballot and that it is published and distributed throughout the town. The Charter Commission informed the Selectmen they were willing to handle the print and distribution of the charter and they have the funds available in their budget. The Board agreed to allow the Charter Commission to handle the printing and distribution. Mr. Humphrey moved that as long as they fulfill the requirements of the law, he would be in favor of them handling the printing and distribution. Mr. Doody seconded the motion.

ppt. of Mr. Robt.Robitialle to Liq.Waste Comm.

A letter was received from Mr. Robert Robitialle, requesting to be appointed to the Liquid Waste Study Committee. Mr. Codling recommended this appointment. Mr. Robitialle has a B.S. in Civil Engineering and an M.S. from Rutgers. Mr. Codling stated that with this type of an educational background, Mr. Robitialle would be an asset to this committee. Mr. Humphrey asked if there were limitations to the number on this committee. We will have to see if we can make additional appointments. This committee was a result of an article being defeated.

Pole Loc. on Concord Rd.

Mr. Humphrey moved approval of one pole location on Concord Road. Mr. Doody seconded the motion. No hearing is required. Mr. Markham will sign as Clerk of the Board.

Meeting with member of Finance Comm. Capital Plan. Budget Comm. Town Acct. regarding the Revenue Sharing.

The Selectmen then met with members of the Finance Committee and the Capital Budget Planning Committee and the Town Accountant to discuss what the Town may use the revenue sharing monies which it will soon receive from the Federal Government. The final decision will have to be made at Town Meeting. Mr. Lewis and Mr. Edge represented the Finance Committee and Mr. Krasnecki, Mr. Brogan, Mr. Gilet represented the Capital Budget Planning Committee, and Mr. Blackadar acted in his capacity as Town Accountant. Mr. Doody told the Board that the Capital Budget Committee did not have sufficient time to study the various proposals and to make definite recommendations. Mr. Doody then stated being that the Town would be faced with an 18 month budget and a 1 million dollar budget for the new high school, he would like to see this money used for tax relief. Mr. Blackadar stated that according to the law, the money may be used for Public Safety, Sewer Sanitay Health, Libraries, Social Services, Capital Expenses and necessary administrative expenses. The first money should be received in December, 1972, and the second half in January, 1973. Following the first years money, the money for the remaining five years of the bill will be distributed on a quarterly basis. Mr. Humphrey then asked ifthe spending of the money required Town Meeting, where Mr. Blackadar stated it did. All money must be spent twenty four months after it is received. The money received for 1972 does not require the submitting of plans for spending, but after that plans for its use must be presented at the beginning of the year, and at the end of the year, a report be submitted on the actual use of the money. The allotment for Chelmsford is $250,000 a year. A study on school costs in other towns found that Chelmsford spends the largest percentage of taxes on their schools said Mr. Blackadar. Mr. Doody then suggested that each group meet separately, then meet again as a group together to formulate the warrant articles. He also asked that the group be allowed to use Town Counsel in formulating the articles, and to be given a let of outstanding bonds in relation to whether they can be retired, and if so how much money would Chelmsford save. Mr. Humphrey was in favor of the money for tax relief.Mr. Blackadar said he thought the money be used for starting a community center which would include a Town Hall, Library and Youth Center. Mr. Lannan then stated that the legislation was considering passing a bill next year to have a Community Development Sharing money used for this purpose. Mr. Humphrey disagreed saying the purpose of this fund would be to eliminate government subsidized programs. Mr. Edge of the Finance Committee said he was of the opinion that the Finance Committee may lean toward using the first years money for tax relief. Mr. Humphrey suggested that there should be several warrant articles offered; tax relief being one and capital improvements being another. December 18th,1972 was set for the next joint meeting of this group.

Con't. of Revenue Sharing with Fin.Comm. & Cap.Plan.Com & Town Acct.

Mr. Humphrey then stated that he received a call from an irate citizen at the intersection of Old Westford and Davis Roads, where new homes are being constructed. As a result of the excavation of the property, it has diverted a stream onto the road. It does present a very hazardous situation. The Police, Highway, and Building Inspector should take immediate steps and talk to the builder to see what is causing this problem. The Police Department had to call the Highway Department to sand this. The Building Inspector issued the permit.

New Business: Complaint at Old Westford & Davis Roads. Excavation had diverted a stream on road.

Mr. Humphrey then asked about the water problem at the home of Mr. Francis Sullivan, 9 Laredo Drive. Mr. Lannan stated that he called the Highway Superintendent early this morning and he will have an answer tomorrow.

Water Problem at 9 Laredo Dr.

Mr. Doody discussed the meeting last Saturday morning with the Jaycees, members of the Recreation Commission, Mr. Humphrey, Mr. Lannon, to look at the Roberts' property. The Recreation Commission asked the Selectmen for assistance for parking and access to the area. Also, the Town is going to provide equipment to develop that area for skating. We will need a water supply at the Junior High School. There is no hydrant at that end of the school. Ask the Water Department to put in a hydrant and perhaps in another year, it will be used for skating. We also had a letter from Harry Foster asking that we flood the area at the McFarlin School. He has the school committee approval. We would have at least two skating areas this year. Mr. Humphrey requested that a letter be sent to the Center Water District to consider the hydrant installation next year for this purpose. There are lighting facilities there and it could be used at night.

Need for hydrant at Jr.High Sc. for purpose of making a skating area. Req. to flood Mc Farlin for skating.

A request was made to find out about Cushing Place from Building Inspector.

Mr. Humphrey made a motion to adjourn the meeting, seconded by Mr. Doody. The meeting adjourned at 9:10 P.M.

Meeting Adjourned

Names of Jurors drawn on November 29th, 1972 by Mr. Lannan:
For Cambridge Superior Court:
1. Raymond J. Boisvert, 180 Tyngsboro Road, North Chelmsford
2. Paul H. Garnick, 6 Lauderdale Road, Chelmsford
For Lowell Superior Court:
1. Marie L. Dubveuil, 108 Warren Avenue, Chelmsford

Jurors Chosen.

For the Board of Selectmen,
by, Marion E. McCready

Members present.

Regular Meeting of the Board of Selectmen held December 4th, 1972: at 7:30 P.M. Members present were: Mr. Lannan, Chairman, Mr. Hart, Mr. Humphrey, Mr. Doody and Mr. Markham, Jr. Mrs. Haines Administrative Assistant was present.

Reporters Present.

Reporters present were: Chelmsford Newsweekly: Mrs. Ann Marie Kierc
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Minutes approved.

The Board of Selectmen approved the minutes of the meetings for September 25th, 1972 and October 2nd, 1972.

Meeting with Envir. Adv. Com. re: separate collection of paper from waste collection.

The Board of Selectmen then met with members of the Environmental Advisory Committee to discuss implementation of Town Meeting vote to separate paper from the regular trash collections. At first it was thought to use racks attached to the trucks, but this presented several problems. After discussion, the Selectmen voted to a once a month paper collection in Town. Arriving at this decision with the Selectmen were Mrs. Ina Greenblatt, Mr. Jay Refson, Mrs. Claire Refson, and Mr. Donald Smith of the Environmental Advisory Committee. Mrs. Greenblatt then spoke of the financial aspect of this, stating the Town will break even and possibly make money. A large trailer truck would be brought into the Town for the trucks to deposit the paper. Mrs. Greenblatt suggested a dealer that may be used, namely Essex Waste in Lawrence. If 50% of the people would cooperate, it is estimated the Town would make money. Mrs. Greenblatt said also that pick-ups at first would be made every five to six weeks. Mr. Hart moved that the Selectmen instruct the Highway Department to implement the separate collection in January to be done the last week of month. Mr. Humphrey then suggested that the towns people be made aware of the program and the Highway Department handle the remainder. All members were in agreement. Mrs. Greenblatt then asked the Selectmen to suggest to the Highway Department that advance plans be made for Earth Day to take all the material collected to the Tewksbury Shreading Mill which would pay $25.00 per ton. Mrs. Greenblatt also stated that the Committee has had no word on the budget of the tree warden.

Opening of the bids for the Town Report, Finance Committee Report and List of Men and Women:

Town Report:
Semline: without cover $23.75 per page: with cover additional cost $294.00
Somerville Printing: with cover $19.25 per page: without cover $18.25 per page
Beacon Publishing: with cover $21.00 per page: without cover Deduct $135.00 from total
Picken Press: with cover $22.10 per page: without cover deduct $71.00 from total
Highlander: with cover $22.45 per page: without cover reduce cost of entire book $75.00

Finance Committee Report:
Semline: $27.30 per page
Somerville Printing: $21.00 per page
Beacon Publishing: $20.30 per page
Picken Press: $23.60 per page
Highlander: $23.95 per page

List of Men and Women:
Somerville Printing: $3.50 per page
Beacon Publishing: $4.50 per page
Picken Press: $4.95 per page
Highlander: $5.80 per page

Mr. Humphrey suggested that these bids be forwarded to the Purchasing Agent for his review and recommendations. Mr. Humphrey stated that one bidder was lowest in every category. He referred to Somerville Printing, a firm the Town knew little about. A representative from Somerville Printing was present at the bid opening and gave the Selectmen a letter of recommendation and copies of reports the firm has done for other towns.

Discussion regarding Zesty Pizza

Voted to deny Comm. Vict. License

A vote of the Board of Selectmen was to be taken on the application of the Palmont Corporation of Bedford, Mass., to operate a food corporation, Zesty Pizza. Mr. John Montminy, President was present at the meeting. Mr. Lannan stated that the last time the Board discussed this application, they would take into consideration any testimony that would be presented to the Board for or against this permit. Mr. Lannan asked if there was any testimony for the petitioner who would be in favor of granting this permit. There was no testimony for the permit. Mr. Lannan asked if there was anyone at this time to give testimony against the issuance of this permit. Mr. Joseph LaCerta, Reading, Mass., owner of Big Joe's, 64 Central Square, Chelmsford, Mass., stated "I am not here to object to the pizza place but I want to hear what will happen tonight. For Chelmsford Center, I think there are too many places. Since I have been here, Buttrick's, Lum's, Spiro's have opened. I want to be on record that I think there are too many places in Chelmsford Center and I have a place in Chelmsford Center. Mr. John Montiminy, President Palmont Corp. DBA Zesty Pizza stated "this will be the second pizza shop in Chelmsford Center and where it is densely populated, I am not afraid of competition, it is a heavily populated area. Framington with a population of 60,000 has nine pizza places, Arlington with a population of 40,000 has seven pizza places, Wayland had 3 pizza places. We are going to have a nice clean type operation. We are going to have adequate parking, we are going to have signs approved by Purity Supreme." Mr. Jack Smith, 89 Robin Hill Road, Chelmsford Mass., stated "I would like to bring to the floor when this last operation was opened up, there was a question of a need, I think we have 4 or 5 pizza operations in Chelmsford at the present time, plus Atomic Sub. The question of being a need was the big question a couple of years ago. I think this should be taken into consideration at this time." Mr. Lannan stated "I would ask the members of the Board of Selectmen if they have any questions from the proponent for this permit." Mr. Doody asked Mr. Smith if he was speaking for or against the applicant. Mr. Smith was speaking against.Mr. Markham asked Mr. Montminy if he had proposed a number of seats in the layout, Mr. Montminy replied that there would be 16 seats. Mr. Lannan asked if the Board was desirous of taking any action on the request for Palmont Corporation for a permit for Zesty Pizza. Mr. Humphrey stated he would like to make a motion, once again having been involved in pizza, I think I have the same stand to deny the application for two reasons: 1. There has been no need demonstrated for such a facility. There are sufficient places in the area of the center for people who frequent this type of an establishment. 2. We very rarely have an opportunity to upgrade our shopping centers and this is a shopping center. I think a more suitable operation would be a specialty shop with some type of character as opposed to an eating place. The motion to deny a request for a permit to the Palmont Corporation was seconded by Mr. Hart. Mr. Hart stated that one thing when we did deny the license on Mill Road, there was a situation where liquor was being sold right there and we just voted to have a package store in that area (Purity Supreme), the fact being that most of the traffic will come out from the back toward

(Continued)
Discussion re: Zesty Pizza.

the front. I don't think we need anymore of these. Mr. Doody stated that on the basic question of need, within a one mile radius, we have Big Joe's, Friendly's, Buttricks, Lum's about 8 or 9 fast food establishments in the area. I don't believe a need exists for another one. Mr. Markham stated that he had a difference of opinion as far as the reasons indicated in support of the motion that was made. First, you mentioned about the type of business establishment in a shopping center. I don't think this Board can dictate the type of establishments in a shopping center. We can suggest. I believe the need would be that the residents of the Town would support such an establishment. If I were a member of the Board at this last permit, my feelings would be the same. Those establishments that have appeared on the scene are not in competition with this type of an operation. We have a free enterprise system and I feel that is a group of individuals feel that they can provide a service to the Town, provided the operation is within the jurisdiction of the Town, I would vote to have this license granted and the need would be determined by the citizens of the Town. Mr. Humphrey stated that in rebuttal to Mr. Markham's remarks, that it was Mr. Markham that requested that we hold an open hearing to let the people know the facts. If there was a need, it is not being determined here tonight. People are not here tonight to let their views be known, there is opposition. I certainly don't want to sit here and dictate what our shopping centers can have, but if I have an opportunity to say what I think our shopping centers might be, I want to exercise that perrogative. Mr. Lannan stated the area the permit has been applied for, because of the increased activities in that area, I do not believe it would be a suitable place for this type of an activity. The parking area is almost full to capacity right now. If we have people stopping to pick up food and taking it home, you have narrow entrances. We have almost continuous traffic from morning to night. I am not against people doing this type of business. I believe in free enterprise, the people should be commended. These people gamble in opening up this type of a business. I don't believe that there has been enough people saying that they wished this permit be denied or that they want it. The people could come here and make their wishes known to us. Mr. Humphrey stated it is necessary that a vote be taken tonight or at the next meeting of the Board of Selectmen. Mr. Humphrey's motion must be acted upon. Mr.Hart, Mr. Doody, Mr. Lannan, Mr. Humphrey were all in favor of denying the issuance of this permit to the Palmont Corp. for a Common Victualer License. Mr. Markham voted against the motion made by Mr. Humphrey.

Meeting with Mr. Ronald Pick of the American Ambulance Service

A meeting was held with the Board of Selectmen and Mr.Ronald Pick of the American Ambulance Service. Mr. Lannan then turned the questioning over to Mr. Markham. Mr. Markham stated he was not opposed to the service or the company and he has heard of no complaints either. Mr. Markham stated he was interested in the company's request for a contract that would increase the financial arrangements $2,500 in the first year. Mr.Pick then said the increase was only $2,000 but stated it could be looked at as $3,000 depending if one used this year's figure or last. Mr. Pick said the increase was due to the upgrading or personnel from ambulance technicians to Emergency Medical Technicians. He compared the cost of purchasing an ambulance several years ago at the cost of $16,000 would cost $19,000 if bought today. Mr. Markham then asked Mr. Pick what towns his company serviced, to which Mr. Pick replied he had five ambulances stationed in Lowell which serviced

Chelmsford, Lowell, Tyngsboro, Dracut and Pelham, and also they made removals from Tewksbury. There are two vehicles in Lawrence to service that city. Mr. Humphrey then asked if the service was being upgraded and Mr. Pick said it was in the area of personnel and communications in the ambulances to the hospitals. Mr. Pick told the Selectmen there was no other such service in the area, and that the contract was not financially negotiable, and that the company had not received any complaints. An observer, Mr. Matthew Doyle asked the Board if this had been advertised, and if it was the custom of the Town to sign a three year contract rather then a one year contract. Mr. Lannan stated that it would be advertised before the first of the year, and that in this case a three year contract would be signed. A question was asked of Mr. Pick if the contract was not signed would Chelmsford then not be available to service. Mr. Pick stated that other calls would be answered first, and if an ambulance was available then they would answer the call from Chelmsford. Mr. Markham said he thought Mr. Pick was entitled to a reasonable increase but if Chelmsford must restrict the cost of other services, this should be discussed as he saw no sign to justify the increase. Mr. Pick stated that he had agreed with Chelmsford, Dracut and Tewksbury to purchase an ambulance to be held for service to these three towns. The Selectmen stated they did not remember any such agreement. Mr. Markham requested that bids be advertised, and Mr. Lannan stated that they would be the first of the year. The Board agreed to take the contract under consideration.

(Continued) Discussion with Mr. Pick re: ambulance service for Town.

Mr. Lannan read a letter from Mr. Jeffrey H. Schiff, Office of Revenue Sharing, advising the Selectmen that the amount of $240,355 represents an estimated figure based on 1967 and 1970 Bureau of the Census data. The final figures and formula have not been established. He also enclosed a copy of the act and the interim regulations. Mr. Humphrey stated that the letter was rather vague and he suggested that the Selectmen write once again and to mention the fact that the school figure which is used includes $600,000 for bus services which it should not have included. Mr. Doody agreed with this and suggested that a copy of the school budget be sent, stating that we included school bus figures. Mr. Doody suggested that the second letter ask if a five year old figure on population or a current figure would be used in the computation.

Revenue Sharing appeal includes $650,00 for school buses.

Mr. Hart moved to allow the First Baptist Church to play Christmas music and show films from December 18th, 1972, through December 22nd, 1972 between 7:00 P.M. and 8:15P.M. Mr. Humphrey seconded the motion.

Grant First Baptist Church to play Xmas music.

Mr. Hart moved to allow the North Chelmsford Hardware store to play Christmas music from December 5th, 1972 through the 10th, Mr. Humphrey seconded the motion.

N.Chelm.Hardware Store Play Xmas music.

Mr. Lannan read a letter from the Highway Department regarding a complaint from Mr. Harold Costa, 18 Fenwick Drive. Mr. Rondeau checked River Meadow Brook and found the brook was overgrown with trees, vegetation, etc. He did not have the legal right to enter this land as the brook is on private property.

River Meadow brook overgrown with trees. Compl. to Hway.Dept.

Mr. Lannan then read a letter from the Highway Department in regard to a letter from Mr. Robert Munroe of Manwell Road. It stated the Town does not need an easement to go into a brook. Mr. Rondeau stated that in order to maintain a hardened surface on

Communication re: Town does not need easement to go into brook.

roadways, the road must be oild periodically and excess oil be blotted with an extra layer of sand. It is an old existing brook and cannot be rerouted.

Letter re: sidewalks & repairs on Dalton Rd.

Mr. Lannan then read a letter from the Highway Department stating they are aware of the need for repairs and sidewalks on Dalton Road. They have scheduled to do work on Dalton Road in the Spring. This was in answer to a letter from Mrs. Mary Donovan.

Easement of Davis Road; not responsible to Town

The Highway Superintendent informed the Selectmen that in regard to the easement problems at 6 Davis Road, the Town Clerk's office does not have any record of town easements at that location. This drainage problem exists on private property and has nothing to do with the town.

Repair of Crooked Sp. Reserv.

The Highway Superintendent investigated the dam and broken drainage pipes at the Crooked Spring Reservation. He estimated the repairs at $3,000. The Board agreed to include this amount as a Highway Department budget item.

Topics progam to be rec'd within month.

Mr. Lannan read a leeter from Mr. Russell W. Kerr, Jr., informing the Selectmen on the status of the Topics Program. Mr. Frank Baragona from TAMS stated the Town should receive a copy of the Topics Program within the month.

Letter from Town Clerk req: increase in pay for election workers.

Mr. Lannan read a communication from the Town Clerk recommending increasing the pay scales for election workers. Clerks and Wardens for $2.75 per hour; deputies and inspectors $2.50 per hour; counters $2.50 per hour. Mrs. St.Hilaire also requested $1,000 per town election be added to the election budget for extra counters. She stated they are now analyzing the 1972 election figures versus the 1968 figures and will present them to you. Mr. Doody requested that Mrs. St.Hilaire have more specific amounts being paid to other towns the size of Chelmsford. Mr. Markham stated he felt the election workers were underpaid and in many cases, overworked. He would support including these items in the budget. Mr. Doody stated this information will have to be available for Town Meeting. Mr. Humphrey stated before we could put any money in a budget, we would have to check the 5.5% federal guidelines. I wish we could pay them more they are worthy of it and they do an excellent job. Mr. Markham stated the budgets are being prepared and figures would have to be included now. I move to include that request in the election budget. It can be amended at Town Meeting. Mr. Lannan stated he would vote against a motion at this time and he also stated he would not want to go on record that I would want to give a 100% increase to anyone. I am negotiating at the present time. Mr. Markham stated that we all are involved in negotiations. We should all be interested in the town as a whole. All I am indicating at this time is that we include it and the figures could be amended upward or downward. I think my concern is one that has been longstanding. These town employees have been underpaid and in most part under the minimum wage. The motion failed for a lack of a second.

Transfer of gas storage permit to J&G Groton Rd. Realty Trust.

Mr. Hart moved that a gas storage permit under the name of Roger P. & Thelma M. Welch be transferred to the new owners of the property J & G Groton Road Realty Trust. Mr. Humphrey seconded the motion.

Book Store req; to stay open 12/24/72

A letter received from Mr. Leighton Bohl of the Chelmsford Book Store was read asking permission to stay open Sunday December 24th 1972 from 12:00 P.M. to 9:00 P.M. The Selectmen will inform him this permit must go through the Police Department.

Mr. Lannan read a letter from the Building Inspector concerning the Old Grain Mill at Cushing Place. He stated the owners would raise the building themselves as soon as they can relieve the machinery to undertake this task. They are very busy at this time of the year finishing up their work. Mr. Humphrey stated he would like to offer a motion to take legal action if nothing is done within thirty days. This is an excuse from the owners.Inform Town Counsel to take immediate steps to have the building removed. Mr. Hart seconded the motion.

Old Grain Mill at Cushing Pl. Town Counsel to take action for removal of building.

The report from the Building Inspector was read for the month of October 1972; 28 building permits issued, total of $237,750.00.

Bldg. Insp. report.

Mr. Humphrey motioned to appoint Mr. Albert Robitaille to the Liquid Waste Study Committee. Mr.Hart seconded the motion.

Appt. to Liq.Waste Study Comm.

Mr. Lannan stated that we have three requests for appointment to the Board of Appeals as an alternate member, Mr. Edward London, Mr. Timothy Sullivan, Mr. John Kelly.Mr. Hart moved to appoint Mr. Kelly. He stated Mr. Kelly is a superintendent for the Perrini Corp., and he is involved in building. He has the experience that would be of great value to the Board of Appeals. Mr Markham seconded the motion. Mr. Humphrey stated he would support the motion. The knowledge Mr. Kelly would bring to the Board would be an asset to the Board of Appeals.

Appt. of Edward Londo to Bd. of Appeals.

Mr. Lannan read a letter from Mr. C.F. Mistretta, District Highway Engineer, Commonwealth of Massachusetts listing all legal stop signs in the Town of Chelmsford. Mr. Lannan stated there are fourteen signs listed for which the state has issued permits. I think we have about 146 or 147 stop signs.We will not publicize this information. Mr. Markham requested that a copy of this list remain in the Selectmen's office and one for the Police Department. Mr. Humphrey asked if the sign in Central Square was illegal.

Letter from Hgway.Eng. regarding legal signs in town.

Mr. Lannan stated the annual inspection for Liquor Licenses will be held this Saturday, starting from the Town Hall at 9:00 A.M. Mr. Humphrey requested that the Building Inspector and the Fire Chief be informed of this inspection and also that they prepare a report of any violations.

Inspection of Liq. licenses for renewal.

The Board of Selectmen approved the "Appointed Committee Handbook" prepared by the Home Rule Advisory Committee.

The Board of Selectmen signed a letter to the Chelmsford Center Water District requesting that fire hydrants be installed in the area of Richardson Road and Graniteville Road near the Junior High School for fire protection and also to allow flooding for skating purposes next winter.

Request for fire hydrant be installed at Jr.High School.

Under new business, Mr. Doody requested information from Mr. Rondeau about the problem at Graniteville Road and Davis Road. There is still flooding there.

New Business

Mr. Humphrey moved to adjourn the meeting, with Mr. Hart seconding the motion. The meeting adjourned at 9:40 P.M.

Meeting adjourns.

For the Board of Selectmen,
by, Marion C. McCready

Members Present

Regular meeting of the Board of Selectmen held December 11th, 1972 at 7:30 P.M. Members present were: Mr. Lannan, Chairman, Mr. Hart, Mr. Humphrey, Mr. Markham. Mr. Doody was not present due to a business committment.

Reporters Present

Reporters present were: Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Transfer of gasoline storage from 2,000 gals. to 8,000 gals. John, John, Jr. & Robt. Hallberg

A hearing was held on the application of John D., John D.,Jr. and Robert Hallberg for an increase in gasoline storage on their property at 1 Central Square from 2,000 gallons to 8,000 gallons. All abutters were notified of the hearing. Mr. Hallberg explained to the Board that the larger the amount purchased the less expensive it would be and deliveries could be made less frequent. Mr. Hallberg said his business was the maintaining of three or four different companies' gas stations. The gas would also be used for his two dump trucks, one utility truck, five service trucks, one pick-up truck, one maintenance and two diesel back-hoes. Mr. Hallberg then told the board that he would retain the 2,000 tank on the premises and bring in another 6,000, for he would like to store the diesel oil in the 2,000 tank. Mr. Humphrey then stated that if this is the case, then two actions had to be taken; one for the transfer and one to grant a new license for 6,000. Mr. Hart moved to approve the transfer of license of 2,000 gallons of gasoline from Service Station, Inc. to the Hallbergs. Mr. Humphrey asked that this motion include that this 2,000 gallon tank be used for diesel oil only. Mr. Hart agreed. Mr. Humphrey seconded the motion. Mr. Humphrey moved to grant the application of 6,000 gallons of gasoline storage. Mr. Hart seconded.

Permission to Camp Fire Girls to Xmas Carol on Common.

Mr. Hart moved in favor of the Camp Fire Girls to Christmas Carol on the common on December 22nd, 1972 from 7:00 P.M. to 8:30 P.M. Mr. Humphrey seconded. Mr. Lannan stated they will also have to obtain permission from the Park Commission Chairman, Mr. David Ramsey.

Xmas music at No.Chelm. Hardware

Mr.Hart moved to grant North Chelmsford Hardware permission to use an outdoor speaker for Christmas music from December 11th, 1972, to December 17th, 1972. Mr. Humphrey seconded.

To meet with Conserv. Com. re: Water Watch

The Board of Selectmen agreed to meet with the Conservation Commission to discuss the benefits of the "Water Watch" program and the degree of committment the town would undertake and to determine what needs to be done to initiate the program in Chelmsford it if is deemed desirable to do so.

Articles received from Fire Dept. for Town Mtg.

The Selectmen received the following articles to be inserted in the 1973 Warrant from the Fire Department: 1. to raise an amount of money to buy a 1973 4-door sedan for the Fire Department. 2. Authorize the Selectmen to sell the 1969 sedan now being used by the Fire Department. 3 Authorize the Town to purchase by eminent domain or otherwise, land on Riverneck Road for the site of the new East Chelmsford Fire Station and to raise or appropriate $15,500 for the purchase of this land. Also, in the event of an afirmative vote, appoint a committee consisting of not more than five members to proceed with this building and transfer from the West Chelmsford Building funds the sum of $2,500.00 for their use.

The Selectmen received the following articles from the School Department to authorize the School Building Committee to proceed with the constructing of a 250 putpil capacity little theatre addition to the high school, funding allocated from within the $10,240,000 appropriation approved by the Town for the construction of the high school. 2. Proceed with the constructing of a regulation size swimming pool addition to the new high school funding allocated from within the $10,240,000 appropriation approved by the Town for the construction of the high school.

Article to be entered in Warrant for town mtg. re: little theatre and swimming pool added to new high school.

Mr. Lannan read a letter from the Police Department stating they have surveyed the intersection of Adams Avenue and Boston Road and in their opinion, there is no traffic problem.

No traffic problem at Adams Ave. & Boston Rd.

The Selectmen agreed to have "Thickly Settled" signs installed 75 feet in from Old Westford Road on Thomas Drive, at 51 Thomas Drive and 56 Thomas Drive. The Police Department surveyed this area and reported their findings to the Selectmen.

Thickly settled sign on Thomas Drive #51 & #56.

Mr. Lannan read a letter from Chief Robert E. Germann, stating they should not consider the hiring of School Crossing Guards under the EEA program. Under provisions of EEA, these guards would have to be employed eight hours per day and we would need their services for three hours per day. Mr. Lannan also stated that at present there is no money under EEA for any new hiring.

Not hiring of crossing guards under EEA.

Mr. Lannan read a letter from Sgt. Adams of the Police Department stating he has surveyed the railroad crossing on Glen Avenue and found the present warning system adequate for the safety of the public. Mr. Markham stated the signs in the area were the initial question, not the warning signals. It seems that some signs have been erected warning the cars that there are railroad crossings ahead but there are two blank signs standing at the crossing. There is also no stop sign coming out of the road before you turn into Katrina Road. Mr. Lannan asked Mr. Markham to get the name of the street and we will have it checked. Mr. Markham requested the reason for the blank signs being there. Contact the Highway Department and Police Department for this information.

Request railroad crossing signs be checked at Glen Ave.

Mr. Lannan read a letter from the Highway Department regarding Mr. Doody's request for recommendations on the bad curve and the installation of drainage at Graniteville Road and Davis Road. The curve will be flattened out by relocating the road approximately 15 feet from its original location. Two catch basins and approximately 115 feet 12" R.C. pipe will have to be installed. This work will be done next year. The shoulder of the road on the curve was cut back five feet to help alleviate the water condition this winter.

Letter from Highway Dept re: curve & drainage at Graniteville and Davis Rd

Mr. Lannan read a letter from Mr. William L. Ary, Chairman of the Dog Leash Law Committee stating the committee did not understand the Selectmen's request for a warrant article. They recommended the existing leash law be properly enforced and an increase in the dog control budget. Mr. Hart stated if there are not reasons presented for the use of this money people will not be thrilled with the idea and they will vote it out. Mr. Lannan stated at the present time, the Dog Officer does not

Letter from Mr. Ary of Dog Leash Law Comm.

cover 84 hours a week, he covers 37½ hours. He would probably need an office and telephone service. The Board agreed to further discuss this with Mr.Seidel a member of the committee at 8:30 P.M.

Discussion regarding addition to the Police Station.

The Selectmen met with the Police Department Building Committee represented by Peter McHugh, Robert Germann, John Kelly and Mr. Georges. They had received two estimates for the addition to the Police Station, one from William Gavin and Associates, Inc. architects for $149,500 and one from Stephen Wojcik, architect for $237,770. They also submitted plans and the following articles for the Board's consideration. 1. Raise or appropriate funds for the constructing of the addition; 2. In the event of the affirmative appoint a Chelmsford Police Building Committee to authorize it to proceed with construction of said project. The Committee told the Board they recommended building out instead of up for economic reasons. The ventilation and drainage systems are in the roof and the roof would have to be torn up. Their plans also called for a Town Hall Records Room which would be a safe place to keep records and where microfilm copies of Town Hall records would be stored. They would also be adding three more cells. Chief Germann stated with the new addition, there should not be any need for many many years to increase the size of the Police Station. At the present site, the offices are too small. Chief Germann also stated that most of the garage area is used for storage, bicycles, etc. We will also be able to garage one or two cars in it.

Letter from Town Clerk re: being a member on the Bd. of Registrars.Permission to ask Town Counsel.

Mr. Lannan read a letter from the Town Clerk asking the Selectmen's permission to use Town Counsel to interpret Chapter 41 Section 19G of the Massachusetts General Laws which states if the Town Clerk is also a member of the Board of Registrars, she as a member will receive $50.00 per 1,000 registered voters. The total payment not to exceed $1,500.00 in any one year. Mr. Hart stated that would be $750.00 for the number of registered voters in Chelmsford. The Board agreed to this request.

Town Counsel opinion on action taken by Planning Board re: three lot plan submitted by Vincent R. & Marion M. LoCicero.

Mr. Lannan read a letter from Town Counsel in response to the Selectmen's request for an opinion on the action of the Planning Board on a three lot plan submitted by Vincent R. & Marion M. LoCicero. Town Counsel stated that the Planning Board met on November 15th, 1972, and passed a motion waiving the lot size on lot B and stated no approval under the Subdivision and Control Law was required. In the opinion of Mr. McCarthy, Town Counsel, the Board members acted correctly in stating that approval under the Subdivision and Control Law was not required as all lots were located on a public way. They went beyond their power in waiving the size requirements on Lot B. He suggested that permits for Lots A and C be issued but that Lot B be sent to the Board of Appeals. Mr. Humphrey stated he hoped the Planning Board would be guided by this decision in the future, that it is not their perrogative to waive the Town By-Laws. He also talked to the Building Inspector and no permit had been issued on that third lot and it was his intention not to issue one. Mr. Lannan requested that a copy of this opinion be forwarded to Mr.S. Anthony DeCicero for his review and also a copy be sent to the Planning Board with a letter from this Board stating that even if this plan was one which fell under the subdivision control law, the Planning Board does not have the power to waive the zoning by-law regulating lot size.

The Board agreed to using a form letter for boards, departments, and committees to contact Town Counsel for a legal opinion. Mr. Markham suggested sending a copy of these letters to Town Counsel at the same time. Mr. Lannan stated that in the past, we have given these people permission to contact Town Counsel, and they don't get in touch with him. He has to try and find the people on these committees. The form letter would include: It is requested that you contact Town Counsel and make all the necessary arrangements to meet with him and present all pertinent data regarding the case at that time. This will enable the Town Counsel to render his opinion within a reasonable period of time and minimize the amount of meetings necessary to make a final decision.

Form letter for depts., boards, etc. requesting legal opinion from Town Counsel.

Town Counsel also submitted the following opinion to the Selectmen in regard to Lusalon Inc. Town Counsel stated that the Lusalon property located at 321 Billerica Road was not in violation of any zoning requirements. The lot involved had been a single residence in 1959. In 1963, the by-laws had been amended to change this lot to limited industry. The amended by-laws were in effect when Lusalon brought the property. The Board agreed to send copies of this opinion to Lusalon Inc., Mr. Frank Lambert and Mrs. Bernice O'Neil.

Town Counsel states Lusalon Inc. property not in zoning violation.

Mr. Lannan read Town Counsel's opinion in response to the Board's inquiry regarding the authority of the Board to regulate the operation of the South Chelmsford Gun and Rod Club, Inc. Mr. McCarthy stated that Chapter 131 Section 57 of the General Laws prohibits hunting, but permits the use of a gun for target practice. Guns must be fired 150 yards from paved surfaces and 500 feet from dwellings. The licensing body may grant or revoke licenses for shooting galleries upon conditions they deem proper. Shooting galleries are described as public. Town Counsel stated that the club was not a public, but a private one and therefore does not fall under the authority of the Selectmen. Any violation should be reported to the Police Department for they regulate the discharge of firearms. Mr. Humphrey,questioned Town Counsel's opinion stating that it was in conflict with the by-laws. Then Mr. Humphrey read from the by-laws stating that no person shall without permission of the Board of Selectmen explode fire arms. He asked that Town Counsel be asked the question in reference to that by-law. He also requested the Board ask Town Counsel to review the present conveyance of the land at the South Rod and Gun Club to see if the proposed use of the land for Tennis and Swimminh is in any violation of the conveyance.

South Chelms. Gun & Rod club use of firearms

Mr. Lannan read Town Counsel's opinion in regard to signs in the Town of Chelmsford. This opinion was requested by the Building Inspector. Town Counsel said that billboards may not be regulated by zoning by-laws, although certain regulations may be achieved through ordinances or separate by-laws not inconsistant with the State Statue. The signs in existance before may continue to remain, others that are installed after must conform.

Regulation of signs & billboards in Town.

Meeting with Youth Center Committee to discuss the budget and their program.

The Selectmen met with the Youth Center Committee to discuss their 18 month budget. Members of the Youth Center Committee present at the meeting were: Mrs. Anne Stratos, Mr. Robert Hall, Mr. William Murphy. Mr. Murphy presented the budget to the Selectmen and also reported on the activities of the Youth Center. Mr. Lannan stated that he has been reading the reports from Harry Foster and he thought it was worthwhile to note that Mr. Foster is doing a tremendous job. He is constantly busy and on the job. The funding for EEA is through February and there is a possibility we will have funding through August. Mr. Murphy stated that they are asking the total sum of money from Town Meeting. Right now, there is 40 hours a week under EEA. To get a program going, you have to work on it. Mr. Foster is also taking a course. Probably the biggest thing that could help the center would be some lesser trained assistants. One person cannot supervise 400 youths. Possibly some of the students that go to Lowell State or Lowell Tech could help out. Mr. Lannan asked if they were still getting the help from the adults. Mr. Murphy stated that you can't count on the people all the time when you are open three days a week. Mrs. Stratos added that we have got this program off the ground and seen it through its worst times. Mr. Hall stated that the Recreation Department funds many programs in the town but I also think we have to have programs for other youngsters who are not competively inclined. They can just go and play for pleasure and the fun of it. In answer to Mr. Hart, Mr. Murphy said that over one half of the youngsters were boys. It varies with the time of the year. Harry Foster's wife is the girls basketball coach and she is giving them formal coaching and because of these kinds of activities, there are just as many boys as girls. Also, the youngsters come from all sections of the town. Most of the kids are Junior High age. The high school children tend to stay away. Mr. Hart asked if buses should be used to pick up kids in the outlaying sections of town. Mr. Hall stated the youth center has reached its capacity; we are going to have to start thinking of opening up another school. This would enable the six to eight graders to have one center and another center for the high school youngsters. One of the reasons high schoolers do not come is because the younger ones start coming. I think we should investigate the possibility of using the high school. The students would be right there. We are now limited to what we can do. Mr. Hall stated at the present time, the Charter calls for a membership on this committee of 20. It is required to have a quorum of eleven people. Most of these people are very active people and it is very difficult to get a quorum. He asked that the Selectmen consider changing the size of this committee to 12. The Committee will inform the Selectmen of the people who wish to remain on the Youth Center Committee. Mr. Humphrey said he thought the only unfortunate aspect of this program was the lack of publicity. It is one of the unsung programs that we have in the town. Mr. Humphrey also commended Mrs. Stratos for her hard work on this committee. You can't relate a program like this to dollars and cents but by what the people get out of it. There is something there that they are looking for that they have found and we have got to continue this. This is the endorsement you are getting here tonight.

Discussion re: Share Appt. Donald Butler as Director.

Mr. Lannan read a letter received from Share which listed Chelmsfords representation at the Board of Director's Meetings. Out of the last eight meetings, Chelmsford had been represented at three of these meetings. Mrs. Stratos stated she understood someone was supposed to take Mr. Moray's place. Mrs. Stratos said she would like to resign because she is not able to attend the meeting. She said she would be an alternate director. It was stated that Russell Kerr was supposed to go to the meetings. It is part of his job with EEA to attend these meetings. Mr. Lannan asked if the Board was in favor of appointing Donald Butler as a Director to Share. The two directors would be Mr. Butler and Mr. Kerr with Mrs. Stratos as an alternate director. Mr. Humphrey said he didn't know whether Mr. Butler would take this and I wouldn't want to appoint someone who doesn't want the appointment. Mr. Lannan stated Mr. Butler indicated he would take this position. Mr. Hart moved to appoint Donald Butler as a Director for Share. Mr. Humphrey seconded.

Share Discussion continued.

The Board of Registrars asked the Selectmen for an opinion from Town Counsel as to whether or not the contract signed by the former Town Clerk Charlotte DeWolf was binding on them. The contract was for Data Processing services with M.L. Stifel and was signed for three years without bids. Mr. Hilliard of the Board of Registrars said the Board never authorized the Clerk to enter into the contract which means a $2,000 minimum expenditure per year. Town Counsel said that a contract was signed by the Town Clerk covering December 1971 to December 31, 1974 for data processing services for three years. The town by-law states that any contract exceeding $300.00 must be signed by the majority of the Board and also advertised for competitive bidding.

Data Processing contract signed by Charlotte DeWolf not authorized.

Mr. Lannan read a letter from Mr. John R. Clark, stating that for the calendar year, January 1972 through December 1972, $7,637.86 has been reimbursed to the Town of Chelmsford from Federal Funds for clerical services rendered to the Consortium Office by the Town Accountant and Treasurers office.

Reimburse to Town from Fed. Gov't. for svces. rendered to Consortium (EEA)

Mrs. Ina B. Greenblatt, Chairman of the Recycling Committee submitted suggestions to the Selectmen as follows: 1. Recycling efforts starting with newspaper be implemented by a regular monthly town-wide pickup. Bundled newspaper to be left at curbside by citizens. 2. Yearly collection of heavy metal items be sold as scrap helping to defray the cost of such a pickup as well as saving time, space and expense at the town dump. 3. Any funds above the costs of the above operations be used to purchase leaf shredding equipment for town use. This would again save incineration fees, trash pickup expense and would provide valuable compost material for town and public use. Mr. Lannan stated he informed the Highway Superintendent that the Town would be making the newspaper pickup the last week of January.

Report from Recycling Committee re: pick-ups.

Mr. Hart move in favor of a hearing for Massachusetts Electric for a new pole location on Jordan Road. Mr. Humphrey seconded.

Pole Location on Jordam Rd.

Mr. Lannan stated that last week we opened bids for the Town reports and at that time, there was another bid that was mixed in with the Liquid Waste Committees bid. We asked Town Counsel's opinion. After reading Town Counsel's opinion, Mr. Lannan asked if the Board was desirous of rejecting all bids and re-advertising. Mr. Hart moved to reject all bids and re-advertise for new bids. Mr. Humphrey seconded the motion. He also instructed that a letter of apology be sent to each of the bidders and an explanation of what had occurred.

Agreed to reject all bids for Town Report: Agreed to re-advertise

Regarding the parking at the U.S.Post Office in Chelmsford.

Mr. Lannan read a letter from the Building Inspector addressed to the Department of the Army, Real Estate Division, Waltham, Mass., regarding the parking facilities at the U.S. Post Office in Chelmsford. Mr. McHugh informed them of the by-law violations at the U.S. Post Office and asked that they help the Town to solve the parking problems. Mr. Humphrey stated the original should be sent to the owners, it is their responsibility. Ask the Building Inspector what the answer from the owners of the property is and inform the Board on this matter.

Meeting with Mr.Seidel of Study Present Dog Leash Law Committee.

Mr. Carl Seidel of the Dog Leash Law Study Committee met with the Selectmen, and he told the Board that their inquiry into the present leash law resulted in over 100 replies. In the opinion of Mr. Seidel, he stated that the present law should stand with enforcement. The Selectmen then told Mr. Seidel that he could recommend the number of people that the Study Committee felt they needed to enforce the law and also a breakdown of part time and full time. Also if the present dog officer resigned the Committee should be lookign into a Dog Pound building. Mr. Seidel stated that some of the members were of the opinion their charge did not include further study, although he felt that it did, and if so directed by the Selectmen, he would undertake this further investigation. Mr. Seidel asked the Board if they wished to replace a member who was moving away, and they suggested that Mr. Seidel check into the 100 replies and determine if one of the persons was interested enough in the law to become a member of the study group.

New Business

Mr. Humphrey stated that last week on the 4th of December, we took a vote to instruct a letter to be sent to Town Counsel initiating all methods to alleviate the Grain Mill. There was no reason why this letter had been held and not sent. Mr. Lannan stated he held the letter because a letter was received from the Building Inspector saying he told the owner that if he did not act within 10 to 30 days, legal action would be taken. Mr. Humphrey stated the letter should have gone as the Board had voted regardless of the Building Inspectors letter. He felt the Building Inspectors letter changed nothing as it allowed a period of time, and the Selectmen in their vote of last week wanted immediate action. Mr. Humphrey insisted the letter be sent to Town Counsel that evening, and saying to the Administrative Assistant the Board should instruct her that unless she is told otherwise by the full Board, their actions are to be carried out. The other members of the board concurred.

It was stated that the Board of Selectmen still have not received the legal opinion from Atty. Charles Zaroulis on the DeMoulas matter. Mr. Humphrey asked the Board to give Atty. Zaroulis two more weeks to obtain his answer and to tell him if it is not received within two weeks that his agreement with them is terminated and they did not expect to be billed. The Board concurred.

Mr. Markham then reminded the Board that they should be receiving a report of violations from the Building Inspector and Fire Chief.

Mr. Markham then asked the Board not to go any further on renewing the license on the junk yard located on Butterfield Street until the fence around the property was erected as required by law. He also asked that the Building Inspector inform them of the legal address of this establishment, as it is listed as Sleeper Street, but the entrance was on Butterfield Street. The Board agreed to this. Mr. Hart stated that on their inspection they noticed other possible violations in the area. He said that the area from the Pizza Parlor to the Industry entrance was an eyesore. The Board agreed to have the Building Inspector check the area from the pizza parlor up to Wellman Industrial Park for violations.

Mr. Markham requested that the dog officer be contacted as to a possible dog nuisance at 23 Biscayne Drive.

New Business continued.

Mr. Humphrey then spoke of a newspaper report which read that the Charter Commission stated the Selectmen were in favor of a separate licensing Board. When he asked the other board members if this were so, they said they were not in favor of this separation. Based on this, Mr. Humphrey asked that a letter be sent to the Charter Commission stating that this statement was not correct. The Selectmen as a majority did not favor separate licensing boards.

Mr. Humphrey suggested that Mr. Lannan and the Town Accountant be sent to Washington to explain why the Town was appealing the revenue sharing amount. Mr. Lannan stated he would go, and would make the necessary appointments.

Mr.Markham requested that the ambulance contractor be asked what rate is presently charged the townspeople for use of the ambulance and whether it is their intention to increase these rates in the future and if so what would the charge be.

Meeting adjourned.

A motion was made by Mr. Hart, seconded by Mr. Humphrey to adjourn the meeting. The meeting adjourned at 9:55 P.M.

For the Board of Selectmen,
by, Marion E. McCready

The following is a list of renewal licenses signed by the Board of Selectmen at the December 11th, 1972 meeting.

Renewal of licenses for 1973 signed by Selectmen.

Auctioneer Licenses: Renewal Fee: $2.00
1. William D. Atherton, 9 Tremont Road
2. Stephen H. Farley, 204 Chelmsford Street

Auto Dealers License: Class I, Renewal fee: $50.00
1. Peter Hallissy Chevrolet, Inc., 40 Chelmsford Street

Auto Dealers License: Class II, Renewal fee: $50.00
1. Alpine Gulf, Inc., 100 Chelmsford Street
2. Arnold A. Garrow, d/b/a Buttonwood Citgo, Central Square & Acton Road
3. Dick's Dhevron, 206 Boston Road
4. Anthony C. Ferreira, d/b/a Tony's Used Cars, 74 Riverneck Rd.
5. Edward J. Duffy, d/b/a Duffy's Auto Co., 52 Tyngsboro Road
6. Eastern Motors Sales, Inc., 113 Tyngsboro Road
7. Frederick J. Fantozzi, d/b/a Fred's Gulf Service, 1-9 Princeton Street
8. Toure F. Larson, d/b/a Larson's Automotive Sve. 112 Tyngsboro Road
9. Princeton Auto Sales, Inc., 123 Princeton Street
10. Timberland Machines, Inc., 15 Katrina Road
11. George E. Gagnon, Jr., d/b/a Town Line Motors, 166 Middlesex Street
12. Joseph S. Starr, d/b/a Starr Service Station, 120 Gorham St.

(Continued)

Renewal of licenses of 1973 signed by Board of Selectmen.

Auto Dealers License, Class III, Renewal Fee: $50.00

1. Roger Boyd, Inc. Emerson Ave., south of Railroad Tracks.

Automatic Amusement Device License, Renewal fee: $20.00 each

1. American Legion, A.W. Vinal Post 313, Inc. Groton Road, 1 Machine
2. Pages Bowling Enterprises, Inc., d/b/a Sammy White's Alpine Lanes, 30 Alpine Lane, 2 machines
3. Rainbow Spa., Inc., 294 Billerica Road, 2 machines

Common Victualer License, Renewal fee: $5.00 (for food)

1. Adie Brothers, Corp., d/b/a Dunkin' Donuts, 105 Chelmsford St.
2. American Legion,A.W. Vinal Post 313, Inc. Groton Road
3. Atomic Submarine Sandwich Shops, Inc., 94 Drum Hill Road
4. Mrs. Charles Ballos, d/b/a Ballos Diner, 17-19 Vinal Square
5. Joseph A. LaCreta, d/b/a Big Joe's Sandwich Shop, 61 Central Sq.
6. Bill Burns, d/b/a The Banqueteer, 225 Littleton Road
7. Buttrick's Family Restaurant, 29 Chelmsford Street
8. Chelmsford Country Club, Inc., 66 Park Road
9. Chelmsford Elks, Inc., 300 Littleton Road
10. Cinema Realty, Inc., 299-305 Chelmsford Street, (For Cinemas I, II, III, IV)
11. Edward J. Crowley, d/b/a Crowley Farms, 131 Gorham Street
12. C U F Club, Inc., 21 Quigley Avenue
13. Dean's Food, Inc., d/b/a/ The Glenview Lounge, 248 Princeton St.
14. DeMoulas Super Market, (Market & Snack Bar) Eastgate Plaze
15. Drum Hill Liquor Mart, Inc., 63 Drum Hill Road
16. Maurice J. Levesque, d/b/a Family Pastry Shoppe, 2 Alpine Lane
17. Food Fair, J.M.Fields Lunch Counter, Parkhurst Road
18. Friendly Ice Cream, Corp., 20 Boston Road & Summer Street
19. Gino's Inc., Drum Hill Road
20. W. T. Grant Co., d/b/a The Bradford Room, East Gate Plaza
21. Hong & Kong Restaurant, Inc., 32 Alpine Lane
22. Jack's Diner, Inc. of Chelmsford, 11 Central Square
23. Klav Corp., d/b/a Lum's, 86 Chelmsford Street
24. Lorie's Doughnut Shop, 21 Vinal Square
25. Mai Kai Inc. d/b/a Mai Kai Restaurant, 131 Drum Hill Road
26. The Meadow Grill of Chelmsford, Inc., 100 Tyngsboro Road
27. Page's Bowling Enterprise, Inc., d/b/a Sammy White's Alpine Lanes, 30 Alpine Lane
28. North Chelmsford Wine & Liquor Co., Inc., 2 Vinal Square
29. Princeton Lounge, Inc., 147 Princton Street
30. Rainbow Spa, Inc., 294 Billerica Road
31. Richard Rogers, d/b/a Ricky's Dairy Queen, 110 Tyngsboro Road
32. Roslyn Shops of Chelmsford, Inc., d/b/a Howard Johnson's 185 Chelmsford Street
33. Richard Moran, d/b/a 7-11 Food Store, 170 Concord Road
34. John Shallah & Fred Dikmak, d/b/a Little Jack's Drive-In, 91 Drum Hill Road
35. Skip's Diner, Inc., 116 Chelmsford Street
36. Skip's Ice Cream Stand, 118 Chelmsford Street
37. McDonald's Restaurant, 17 Drum Hill Road
38. Chris Kates, d/b/a Spiro's, 257 Littleton Road

Sunday Entertainment License, Renewals: Fee: $154.00 ($50.00 to State and $104.00 to Town) ($2.00 per Sunday)

1. Route 3 Cinema Realty Trust, for Cinema III, 299-305 Chelmsford Street
2. Route 3, Cinema Realty Trust for Cinema IV, 299-305 Chelmsford Street
3. Meadow Grill of Chelmsford, Inc., 100 Tyngsboro Road
4. Pages Bowling Enterprises, Inc., d/b/a Sammy Whites Alpine Lanes, 30 Alpine Lane (Pool tables, billiards)

(Continued) Sunday Entertainment License Renewals for 1973

5. Pages Bowling Enterprises, Inc., d/b/a Sammy Whites Alpine Lanes, 30 Alpine Lane, (Bowling Alley)
6. Klav Corp., d/b/a Lum's, 86 Chelmsford Street
7. Charles F. Dinnigan, d/b/a North Chelmsford Bowling Alleys 20 Vinal Square

Theatre License renewals fee: $100.00 each

1. Cinema I, II, III, IV, 299-305 Chelmsford Street

License to Carry Passengers for Hire over Public Highways, Renewal fee: $10.00

1. Marinel Transportation, Inc., Ward Way (Covers North Chelmsford to Lowell City Line and Chelmsford Center to Lowell City Line.)
2. Vocell Bus Co., Inc. 751 Boston Road (Covers Rte. 3 between Billerica and Chelmsford Town Line and to Chelmsford and Lowell Town Line.)
3. Vocell Bus Co., Inc., 751 Boston Road (Covers Connector, Ramps, and Route 495)

Weekday Entertainment License Renewal Fee: $5.00

1. American Legion, A.W. Vinal Post 313, Groton Road
2. Atomic Submarine Sandwich Shops, Inc., 94 Drum Hill Road
3. Bill Burns, Inc., d/b/a The Banqueteer, 225 Littleton Road
4. Chelmsford Country Club, Inc., 66 Park Road
5. Chelmsford Elks, Inc., 300 Littleton Road
6. C U F Club, Inc., 21 Quigley Avenue
7. Dean's Food, Inc., 248 Princeton Street
8. Hong & Kong Restaurant, Inc., 32 Alpine Lane
9. Klav Corp., d/b/a Lum's 86 Chelmsford Street
10. Mai Kai Inc., d/b/a Mai Kai Restaurant, 131 Drum Hill Road
11. The Meadow Grill of Chelmsford, Inc., 100 Tyngsboro Road
12. Princeton Lounge, Inc., 147 Princeton Street
13. Rainbow Spa., Inc., 294-296 Billerica Road
14. Skip's Diner, Inc., 116 Chelmsford Street

(Continued)
Liquor Lic.
Renewals

Liquor Licenses Renewals for 1973:

All Alcoholic Club Liquor License: $100.00 Each

1. American Legion A,W. Vinal Post #313, Inc., Groton Road
2. Chelmsford Elks, Inc., 300 Littleton Road
3. C U F Club, Inc., 21 Quigley Avenue

All Alcoholic Common Victualer Liquor License: $1,000.00 Each

1. Bill Burns, Inc., d/b/a The Banqueteer, 225 Littleton Road
2. Deans Food, Inc., d/b/a The Glenview Lounge, 248 Princeton St.
3. Hong & Kong Restaurant, Inc., 32 Alpine Lane
4. Mai Kai, Inc., d/b/a The Mai Kai Restaurant, 131 Drum Hill Rd.
5. Meadow Grill of Chelmsford, Inc., 100 Tyngsboro Road
6. Princeton Lounge, Inc., 147 Princton Street
7. Rainbow Spa., Inc., 294-296 Billerica Road
8. Roslyn Shops of Chelmsford,Inc., d/b/a Howard Johnson's 185 Chelmsford Street
9. Skip's Diner , Inc., 116 Chelmsford Street

Wine & Malt Beverage License: $200.00 Each

1. Chelmsford Country Club, Inc., 66 Park Road
2. Klav Corp., d/b/a Lum's, 86 Chelmsford Street

(Continued) Renewal of Liquor Licenses

Druggist License, All Alcoholic: $300.00 each
1. Chelmsford Pharmacy, Inc., 19 Alpine Lane
2. C. Richmond Page, d/b/a Page's Drug Store, 34 Central Square

Retail Package Goods Store, All Alcoholic: $1,200.00 Each
1. Chelmsford Package Store, Inc., 149 Gorham Street
2. Chelmsford Wine Shop, Inc., 37 Central Square
3. Drum Hill Liquor Mart, Inc., 63 Drum Hill Road
4. Hindman's Market, Inc., 229 Chelmsford Street
5. North Chelmsford Wine & Liquor Co., Inc., 2 Vinal Square

Retail Package Goods Store, Wine & Malt: $300.00 Each
1. John C. Armstrong, d/b/a The Wine Rack, 210 Boston Road
2. John J. McEnaney, d/b/a McEnaney's Market, 65-67 Middlesex Street
3. Ted's Market, Inc., 273 Chelmsford Street
4. Charles Vrouhas, d/b/a Hi-Way Farm Market, 259 Littleton Road

For the Board of Selectmen,
by, Marion E. McCready

Special Meeting held regarding a state of emegency for snow removal.

Special Meeting held December 16, 1972. Members present were Mr. Lannan, Mr. Hart, Mr. Doody, Mr. Humphrey, and Mr. Markham. Also present was Mrs. Evelyn Haines, Administrative Assistant.

The Board of Selectmen, at a special meeting held Saturday, December 16th, 1972, at 10:00 A.M., voted to declare an emergency for snow and ice removal due to the fact that a storm occurred on December 15th, 1972, and there was not sufficient funds in this account to pay the liabilities incurred. Those present voted in favor of this. Mr. Humphrey stated that he believed the emegency should be declared on the day of the storm. Meeting adjourned at 10:30 A.M.

For the Board of Selectmen,
By, Evelyn M. Haines

Regular Meeting of the Board of Selectmen, held December 18th, 1972, commencing at 7:30 P.M.

Members Present.

Members present were Mr. Gerald J. Lannan, Chairman, Mr. Paul Hart, Mr. Howard Humphrey, Mr. Eugene Doody was not present due to business in Boston. Mrs. Evelyn Haines, Administrative Assistant was also present. Mr. Lannan presided. Mr. Markham was present.

Member of the press present

Members of the press that were present were:

Chelmsford Newsweekly:	Mrs. Ann Marie Kierce
Chelmsford Sentinel:	Mr. Jerry House
Lowell Sun:	Mr. Gus Webster

Phil's Village Mkt. request to play Xmas music.

Mr. Lannan read a request from Phil's Village Market, 321 Acton Road, South Chelmsford, Mass., asking for permission to play Christmas music from December 18th, 1972 thru December 24th, 1972, between the hours of 9:00 A.M. to 6:00 P.M. Mr. Hart made a motion to grant permission for this request, seconded by Mr. Markham. It was so voted by the Board to grant this request.

North Chelms. Hardware request to play Xmas music

Mr. Lannan also read a request from the North Chelmsford Hardware of Vinal Square, North Chelmsford, Mass., for permission to play Christmas music from December 18th, 1972 thru December 24th, 1972. Mr. Hart made a motion to grant this request, seconded by Mr. Markham. It was so voted to grant permission.

Mr. Lannan read a letter received from Town Counsel, Atty. Clement McCarthy, regarding his opinion concerning the abolition of the Varney Playground Commission, and the transfer of its power and responsibilities to another town body. According to

Mr. McCarthy's examination of the records at the Probate Court in East Cambridge, the Registry of Deeds Northern Middlesex County at Lowell, Mass., deeds received from members of the Varney Playground Commission, and town reports dating back to 1926, two restrictions are that the land be used for a public playground or recreation center; and that it be named the Varney Playground. In conclusion, Mr. McCarthy stated that the Varney Playground Commission may be abolished and its powers transferred to another committee such as the Town Recreation Committee.

Varney Playground Comm. be abolished and powers transferred to Recreation Committee.

Mr. Lannan read a letter received from Mr. John R. Montminy and Mr. Charles W. Palmer, of the Palmont Corporation, stating that they feel that the Board has not fully understood their planned operation at the Purity Supreme Shopping Center. They are now asking the Board for the opportunity to meet with them to explain further the specific nature of their operation and products, and to make clear the character of the store, and their intent to operate as a Common Victualer. Mr. Lannan then asked the Board if they had any comment on this letter, and also if anyone would desire to meet with these people. Mr. Markham made a motion to meet with Mr. Montminy and Mr. Palmer. There was no second made to Mr. Markham's motion, therefore Mr. Lannan stated that the motion failed due to lack of a second.

Request made by Mr. Montminy & Mr. Palmer of Palmont Corp. to again meet with Board.

A letter was then read by Mr. Lannan from the Chelmsford Planning Board Recording Clerk, Mrs. Nancy D. Maynard, regarding a request received from Mr. Visniewski of Brick Kiln Road, asking the Board's permission to return to the Board of Appeals for a variance. The Planning Board is now asking for an opinion from Town Counsel regarding this matter. Mr. Hart made a motion to ask for the opinion from Town Counsel, seconded by Mr. Markham. Mr. Lannan also agreed to this motion, but Mr. Humphrey opposed it. The vote then stood at three in favor of asking Town Counsel's opinion and one opposed.

Request opinion from Town Counsel re: request from Mr. Visniewski of Brick Kiln Rd to return to Bd. of Appeals for a varianc

A letter was then read from Chief Robert E. Germann of the Police Department, regarding the submitting of an article for the Boards consideration to be inserted in the warrant to be voted on at the Annual Town Meeting. The article was as follows: To see if the Town will vote to raise and appropriate a certain sum of money for the purpose of purchasing five new 1973 four door sedans to be used by the Police Department, said purchase to be made under supervision of the Board of Selectmen, and to authorize the Selectmen to transfer by a good and sufficient bill of sale, title to one 1971 and three 1972 cruisers now being used by the Police Department, or to act in relation thereto.

Request by Police Dept. to submit an article in warrant for purchase of 5 1973 sedans for police Department.

Mr. Lannan then read an article to be inserted in the warrant for Annual Town Meeting from the Chelmsford Housing Authority, which stated to see if the Town will vote to ratify the action of the Chelmsford Housing Authority in establishing a rental assistance program within the community under the authority of Chapter 121B Sections 42-44 of the M.G.L.A. or take any action in relation thereto.

Request by Chelms. Housing Auth. for article in warrant.

A letter was received from the Planning Board and read by Mr. Lannan, regarding articles to be submitted in the warrant for Annual Town Meeting, referring the the zoning classification of a parcel of land from IB (General Industrial) District to RM (Apartment Residence) District. Also an article to amend the

Planning Bd. request an article to be submitted reg: zoning classification the Zoning by-laws and zoning map to change from single residence district (RB) to Apartment residence district (RM) the property bounded by North Road.

Mutual Aid Program for Cities & Towns.

Mr. Lannan then read a letter from Chief Germann regarding a Mutual Aid Program for cities and towns. Draft copies of this agreement were enclosed with Chief Germann's letter. Mr. Lannan suggested that a copy of this agreement be made for each Selectmen. Mr. Lannan also suggested that Chief Germann be asked to make a summary of this report.

Resignation of Albert E. Walker of Chelms. Industrial Comm.

A letter of resignation was received from Albert E. Walker, a member of the Chelmsford Industrial Commission. The members of the Board asked that a letter of appreciation be sent to Mr. Walker for the services he has rendered to the Town.

Two pole Locations & two abandonments on Jordan St.

A letter was received from the Massachusetts Electric Company and New England Telephone & Telegraph Company requesting permission for two (2) pole locations and two (2) pole location abandonments on Jordan Street.

Discussion re: changing Town Mtg. date

Mr. Lannan then stated that he spoke with the Finance Committee regarding the changing of the Annual Town Meeting date from the first Monday in March to the first Monday in April, due to the fiscal change. The date can only be changed by an article in the Town Meeting. A letter regarding this has been sent to Town Counsel asking him about this change. Mr. Humphrey stated he had no objection to this change and he also said that it would give the newly elected officers more time to get acquainted with their offices before Town Meeting. Mr. Hart stated that weather wise, March weather is very poor. Mr. Lannan said he would call Boston to check further into this matter.

Disposing of Town Equip.

It was then suggested also that another article be submitted for the Annual Town Meeting regarding the disposing of equipment belonging to the Town of Chelmsford. After authorization is given, the equipment is then bid on, and the highest bidder would receive the equipment.

Town Clerk requesting higher pay for election workers.

Mr. Lannan then read a response received from Mrs. Mary St.Hilaire Town Clerk, recommending that she felt that election workers should receive higher pay. A letter was sent from the Board of Selectmen to the Town Clerk asking her for the following information: a list of towns of comparable size showing amount paid per hour to election officers: to furnish analysis of 1972 election versus 1968 for comparision: and had the Town Clerk complied with the 5.5 Federal Guideline regarding salary increases. The reply from the Town Clerk stated that she had not yet finished the analysis of the comparision of 1972 with 1968 election, and she enclosed a pamphlet on Controls on Wages & Salaries. No further comment was made by the Board.

Declare state of emergency due to storm storm.

Mr. Arnaud Blackadar, Town Accountant, told the Board of Selectmen that the snow removal over the past weekend, due to the storm, has put the Highway Department in a bind for funds. Mr. Lannan told Mr. Blackadar that he contacted Mr. McGill, Director of Accounts, stating that funds have been depleted. The recommendation Mr. Lannan received was to declare an emergency for this storm and for any other storms before the end of the year. At the end of the year, the town can send a list of costs to the emergency finance board.

At 8:30 P.M. a meeting was held with members of the Finance Committee and the Capital Planning Board regarding Revenue Sharing Funds. Mr. Doody was not present to make the presentation to the Board, and Mr. George was not present either to make the presentation. Mr. Richard McDermott of the Finance Committee was present. Mr. Clement McCarthy, Town Counsel, and Mr. Arnaud Blackadar, Town Accountant were also present. Mr. Blackadar stated that the 1972 revenue be used as the reduction of the tax rate. Mr. McCarthy stated that he was to prepare an article for the Town Meeting. The federal government figures show that Chelmsford will receive $292,000 for 1972, $292,000 for 1973 and $146,000 for the first six months of 1974. Mr. McDermott stated that the only route officials can go is to reduce the tax rate, and that the money should not be used on projects that are not extremely important. When the tax rate does go down, people may then decide at Town Meeting for the money to be funded differently: such as youth organizations, needs for the elderly, new Town Hall being that additional space is needed for public meetings. The relief this money will give will enable the Town to do some of the things that would otherwise be impossible. Mr. Humphrey made a motion to follow the suggestion of Mr. McDermott and put an article in the Warrant for the Town Meeting stating that the money be put toward reducing the tax rate. This motion was seconded by Mr. Hart, and stated that it be made clear that the money will also be toward the benefit of the Town. Mr. Lannan then asked if we could transfer from surplus funds, where Mr. McDermott stated the State would send a sheet stating what the Town would get over a period of 18 months. Mr. Ralph Casale of the Finance Committee stated that it should be made clear at Town Meeting that there are other various projects which could be put forth besides the tax relief. A motion was made by Mr. Humphrey to have an article for Town Meeting reflecting the statement made by Mr. Casale. Before the motion was seconded, Mr. Markham said he was not opposed to the motion or to reducing the tax rate, but felt some questions should still be answered regarding the addition to the Police Station and a new Fire Station in East Chelmsford. Also he suggested the town communicate with the federal revenue sharing office to make certain the town would not be penalized financially if it uses all the money to reduce the tax rate. Mr. Markham then asked Mr. Humphrey to amend his motion to include what he had said. Mr. Humphrey said he had no objection to obtaining this information, but felt it should not be part of the motion. It was then voted unanimously to accept the motion made by Mr. Humphrey. Mr. Lannan stated that the money should be used primarily for reducing the tax rate, whether it is applied directly or indirectly: it still be used for tax reduction. Mr Lannan then thanked the members of the Finance Committee and the Capital Planning Board for coming.

Discussion with Finance Comm. and Capital Planning Board to discuss the Revenue Sharing for the Town.

Under the discussion of new business, Mr. Humphrey reminded the Board and other interested persons, that the deadline for submitting articles for the Town Meeting warrant is Tuesday, January 2nd, 1973. Mr. Humphrey also asked that the Highway Department be notified that the flashing light at Billerica

New Business

New Business

Road and Golden Cove Road has not been operating. Mr. Humphrey moved that the Board extend an invitation to all announced and candidates for the Office of the Board of Selectmen, to attend the meetings of the Board in order that they may see the function of the board and acquaint themselves with the procedures of the Board. Mr. Hart seconded the motion, and it was voted unanimously. Letters will be sent to all candidates telling them of this.

Mr. Hart then stated he received a call from the engineering firm of Faye, Spofford and Thorndike, stating they have taken pictures of the layout of Crystal Lake, and that they are progressing with their work.

Mr. Markham then said there was an open drainage problem in the vicinity of 415 Billerica Road, which originates from an industrial plant in Billerica. Mr. Markham made a motion that the Board contact the Board of Selectmen in Billerica to investigate this situation. Mr. Hart said it was a dangerous section and it should be repaired. Mr. Hart seconded Mr. Markham's motion, and it was voted unanimously to contact the Billerica Selectmen of this matter.

Mr. Lannan then made a motion to adjourn, seconded by Mr. Hart. It was so voted to adjourn the meeting at 8:50 P.M.

For the Board of Selectmen,
by, Joan E. Jangraw

Jurors Selected.

Jurors selected by Mr. Gerald J. Lannan on December 22nd, 1972.
For Cambridge Superior Court:
1. Alfred T. Lawrence, 4 Berkshire Road
2. Mary L. Marchand, 91 Stedman Street
3. Louis R. Menno, 1 Chestnut Hill Road

For Lowell Superior Court:
1. Robert P. MacKey, 118 Princeton Blvd.
2. John J. Mitchell, 17 Bentley Lane

Regular meeting of the Board of Selectmen, held December 27th, 1972 commencing at 7:30 P.M.

Members Present.

Members present were: Mr. Lannan, Mr. Hart, Mr. Doody, and Mr. Markham. Mr. Humphrey was not present due to a work committment.

Members of the press present

Members of the Press present were:
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Meeting with members of P.A.R.C. regarding the erecting of a fenced in area for a playground at Roberts property.

The Selectmen met with Mrs. Ann Gallo, Pat Grant, and Linda Jones of P.A.R.C. Mrs. Gallo stated we would like your help in submitting an article for the Town Warrant. An article for the Town to accept the equipment as a gift from P.A.R.C. and take care of it. It would become the Town's responsibility. Does the Town have the facilities to take care of this land. Mr. Lannan stated that if you are talking about the Robert's property, it belongs to the Town. We would do the grading and the Recreation Commission would have to take care of the equipment. The type of equipment would be permanent. Mr. Lannan stated that it would just be the up keep of the equipment. I think we could hire someone from the Recreation Commission. Mr. Hart stated that there is an initial problem of site preparation. There hasn't been any money appropriated for the site preparation. We will need an article for site preparation for this area. Mr. Lannan asked if this was in the Recreation Commission budget. Mrs. Gallo stated that the budget and this grading are two separate things. Mr. Lannan stated that there was money in their budget for grading. Mr. Markham stated that this was for general grading for the whole area. Mrs. Gallo asked that they should prepare an article for the Town to accept the equipment. Mr. Hart stated that an area will have to be filled. We will look into this portion if the towns people accept this. Mrs. Gallo stated that they will need a fence for the playground. You have to have a fence around this playground for little children. What we were hoping was to put the playground nearer the Fire Station so that the vandalism would be reduced. It would cover 1/2 to 3/4 of an acre of land. There is a map showing exactly what we plan to do. We figured it would cost close to $4,000. to put a fence around it. We don't feel you can put a playground in without a fence. Mr. Lannan stated that they just wanted that one area for P.A.R.C. The article would be to accept the equipment you are offering to the Town. Mr. Hart stated that there may not be funds available for the fence, check with the Recreation Commission and there may have to be a separate article. Mr. Lannan stated that the Recreation Commission could increase their budget. Mr. Doody stated that your group has got to be commended to take the time to do these type of things for the town, and raise $3,500. It is remarkable, outstanding, the best kind of thing to do. We will do all we can to help you get started. If the Recreation Commission doesn't have the fence money in the article, submit another article. Get bids for the fence. In the summer, that area is a swamp. Mr. Doody made a motion that we submit an article in the warrant for the fence for the P.A.R.C. program if it is not in the Recreation Commission budget. Mr. Markham stated that he agreed with Mr. Doody, and he would also support this. He asked Mrs. Gallo if she discussed the fence with the Recreation Commission. Mrs. Gallo stated that before we started this, we went to the Recreation Commission. They thought we were just a group of women and we surprised them a little. We have been kind of bugging them about this fence and lighting. They have yessed us to death and we have no concrete information. Mr. Lannan asked Mrs. Gallo if she wanted to set up a meeting with P.A.R.C. members of the Recreation Commission, and the Selectmen. If they don't have the money for the fence in the budget or they don't want to, we will have a separate article. Mr. Doody's motion was seconded by Mr. Markham. Meet next Tuesday or Wednesday.

Continued discussion regarding a fence around play area at Roberts property.

Mr. Lannan read a request from Sgt. Armand Caron and Inspector James Kerrigan which asked that the Selectmen consider and place the following article in the warrant to have the town accept and approve Chapter 41, Section 1081 of the General Laws of the Commonwealth of Massachusetts. "1081 policemen assigned to photographic work; additional compensation. In any city or town which accepts the provisions of this section, a member of the Police Department assigned to photographic or fingerprint identification, work in said department shall, after completion of one years service in such assignment, receive in addition to his annual salary as a Police officer, a salary increase of $500.00 a year, to be paid him so long as he is assigned to said photographic or fingerprinted work." The towns of Tyngsboro,

Discussion with Police officers Sgt. Caron & Insp. Kerrigan regarding extra pay for photographic & fingerprint work.

(Continued)
Discussion re: pay to police off. for finger-print and photographic work.

Billerica, Tewksbury and Burlington are paying their men additional compensation for performing this specialized work. The letter also listed Sgt. Caron's and Inspector Kerrigan's qualifications. Mr. Lannan asked if the Board was in favor of placing this as an article for the Town Meeting. Mr. Hart stated he was in favor but why hasn't it been brought up in the bargaining sessions. They do have a unit that bargains for all their benefits and it is a benefit. It all should be brought up at the same time. It should be discussed there before we put it in as an article. Mr. Doody stated it is an item that should be a part of collective bargaining. Mr. Markham agreed and stated first of all because the department heads are chosen to bargain for the Town, if it were to be included as part of the contract the dollars represented in the contract be presented to the town. We should hold this in reserve and have a report back from the collective bargaining unit that the item is not included in this years contract, that we might submit it as an article at the Town Meeting.

Discussion regarding the leasing of equipment

Mr. Lannan read a letter from Town Counsel in regard to the Tax Collector's inquiry concerning contract with Model Systems Leasing, Inc. It stated nothing in the town by-laws requires that the leasing of equipment be put out for bid. Massachusetts General Laws Chapter 40, Section 4, specifically authorizes towns to contract for the leasing of data processing equipment for periods up to five years. We have checked with Mr. McCormack and he is of the opinion that the subject equipment could fall within the broad category covered by the term data processing equipment. We note that the contract was signed by the department head at the time it was executed and her signature thereon was authorized in accordance with the town's by-laws. Mr. Lannan stated he has already responded to the Tax Collector and the Tax Collector is aware that the contract is a valid one.

V.F.W.Post 5990 requesting an article for town mtg. requesting funds for up-keep of post.

A communication was read from the officers of the V.F.W. Post 5990 on Mill Road, asking that the Selectmen put an article for town meeting to raise and appropriate or transfer the sum of $500.00 to provide utilities and up-keep for the Chelmsford Post 5990 Veterans of Foreign Wars under the provisions of Massachusetts General Laws Chapter 40, Section 9. Mr. Lannan stated it is an item for the town meeting. I think we should ask Town Counsel to read Chapter 40, Section 9 of the General Laws. It seems that the town is obligated to provide quarters for veterans or to pay a portion of it. This is an article for town meeting.

Rates for Ambulance service to increase as of 1/1/73.

Mr. Lannan read a letter from Mr. Pick, American Ambulance, which stated as per your request of December 13th, 1972 asking information on rates; the base rate is $38.00 plus $1.00 per mile. As of January 1, 1973, the base rate will be $42.00 plus $1.50 per mile.

A,B.C,C.sale of Alcoholic Bev. on Xmas & New Years

Mr. Lannan read a notification from the A.B.C.C. regarding the sale of alcoholic beverages on Christmas Day and New Years Day. Mr. Hart moved to accept the A.B.C.C. regulations, Mr. Doody seconded the motion.

Bill filed for tornado damages.

Mr. Lannan read Senator Ronald C. MacKenzie's letter stating that he was in receipt of the copy of your letter to Rep. Freeman regarding the filing of a bill for the coming session for the reimbursement of monies expended by the Town of Chelmsford for tornado damages, and I understand that Rep. Freeman has filed this bill. We will certainly do all we can to help it pass.

Mr. Hart motioned to accept the appointments of Manuel Sousa, 26 Carleton Avenue and Timothy F. O'Connor, 45 Gorham Street of the American Legion Post #366, to serve on the 1973 Memorial Day Committee. Mr. Doody seconded the motion.

Appt. to 1973 Memoria Day Comm.

Mr. Lannan read a letter from the Honor Roll Committee requesting that an article be submitted for the 1973 Town Meeting for a war memorial for all veterans of Chelmsford. They requested that a plaque with a flag be placed in each of the six cemeteries in town as a suitable monument. They estimate the cost at $2,500.00.

Plaques to be in memory of Vet. put in all cemeteries.

A hearing was held at 8:00 P.M. on the petition of Massachusetts Electric Company for the purpose of installing an underground conduit to serve 13.2 KV distribution feeder on Jordan Street Petition #C-1320 dated 11/11/72. Mr. John Crane represented Massachusetts Electric. All abutters were notified. Mr. Crane explained that there would be 155 feet of underground cable to increase voltage within the area. The company would not go on any private property or driveways. He also asked permission for 2 pole abandonments on the same street and placing those two poles across the street from where they were. Mr. Hart wanted the reassurance that when the work was completed in the winter that the Company would check the road in the spring. Mr. Crane assured the Board this would be done. Questions were asked as to the hum and the safety of children, where Mr. Crane stated there would be no noise and a fence with shrubs would be placed around the station. Mr. Hart motioned to approve the installing of an underground conduit on Jordan Street, with Mr. Doody to second the motion. Mr. Hart moved in favor of the two pole locations, two pole abandonments. Mr. Doody seconded the motion. Before Mr. Crane left the Selectmen asked him why several promised street lights had not been installed and why 50 lights had not gone to a vapor lighting as promised. Mr. Crane said there may be some problem receiving them from the manufacturer, and asked the Board for a list and promised to bring it to the proper official to see that it was done. Mr. Lannan stated that these lights are necessary for the good will and safety of the townspeople. There has been two or three months delay.

Hearing to install underground conduit on Jordan St. Ask Mr. Crane why street lights that have been requested have not been installed.

Mr. Lannan said that he wanted to apologize for the people who were here last time when we opened the bids for the Town Report, Finance Committee Report and List of Men and Women. One of the bids got mixed in with the Liquid Waste bids and it was not discovered until the next morning. The bids read as follows: Semline: Annual Town Report, $23.75; Cover add $294.00
List of Men & Women, $4.50, Finance Report, $27.30
Picken: Annual Town Report, $20.10, cover minus $71.00:
List of Men & Women, $4.95; Finance Report, $20.75:
Beacon, Annual Town Report, $21.00, cover, minus $135.00:
Men & Women, $4.50; Finance Report, $20.30:
Somerville, Town Report $19.00 per page $18.00 without cover;
Men & Women, $4.00; Finance Report, $20.25;
Shawprint, Town Report, $1.70 per book $5100, $1.67 per book $5010, (.0082 per page, $24.60); Mem & Women, $5.32 per book $1064 (.0256 per page, $5.12 per page): Finance Report, .49 per book $1477 (.008 per page $24.00 per page)
Goodway, Town Report, $16.94 per page $16.88 without cover,
Men & Women, $10.60; Finance Report, $13.45

List of bids for the Town Report, Finance Report, and List of Men and Women

The board agreed to turn the bids over to the Purchasing Agent for his persual and recommendations.

Town Counsel letter regarding trial of Henry Becker vs. Town of Chelm. Cost of damages.

Mr. Lannan read a communication from Town Counsel in regard to: Henry Becker vs. Town of Chelmsford. The letter stated the jury and counsel went to the Becker property for a view on the morning of December 19, 1972. Testimony began at 2:00P.M. on December 19th, 1972. John O'Neill a very well qualified real estate appraiser from Boston testified to damages in the amount of $51,200. Mr. William Riney of Chelmsford also a well qualified real estate appraiser, in his testimony on Wednesday morning, December 20th, 1972 testified to damages in the amount of $28,500. The jury returned a verdict in the amount of $50,000. Mr. Lannan stated that this should be turned over to Town Accountant. Mr. Markham asked what was the original amount that was appropriated and we would actually be paying the difference. Mr. Lannan stated that Mr. Blackadar will tell us the difference between the $50,000 and what was appropriated. Mr. Markham asked if that payment had to be made from 1972 funds. Mr. Lannan stated no, the only money is the money that was appropriated. The Town Accountant will have the information.

Corrected report from Building Insp for Oct. and Nov. 1972

Mr. Lannan read a report from the Building Inspector relating to the building permits issued during the month of October 1972. This is a corrected copy. The other report for October had a total valuation of $237,750.00. This corrected copy has a total of 36 permits issued with a total valuation of $779,750.00. The difference was for retail stores with a total valuation of $480,000.00. The Building Inspector report for the month of November, 1972: 24 building permits issued: total valuation of $487,085.00

Discussion with Mr. Balco of Conservation Comm. regarding the Water Watch Program.

Mr. John Balco of the Conservation Commission met with the Selectmen to discuss the Water Watch Program. Mr. Balco stated that this program would give us technical data relative to the heights of streams in Chelmsford. The Army tends to concentrate on rivers. We found this program that is just beginning at the state level. The town would have to request the Soil Conservation service to survey and identify places where readings should be taken on a regular basis. The Division of Water Resources would provide the town with gauges which would record the elevation of the streams. There would probably be 10 to 20 places where these gauges would be installed. The town would be required to install, maintain, and take monthly readings of these gauges and also readings of high water intensity and send a report to the state. Mr. Balco stated the Conservation Commission did not have the capabilities to install and maintain the gauges but they would take the monthly readings and keep them on file. These readings will help the Town in years to come. Mr. Balco stated there was one other thing as a side benefit. From time to time there has been talk of a new Master Plan which would require an aerial survey. It would be necessary to have a complete system of bench marks of the town. We would have these for "zero costs to the town". Mr. Balco stated that these markers would not be installed in obvious places so they would not be subject to vandalism. Mr. Balco stated that this program has just begun and it states that this agreement can be nullified. There are only two towns participating in it now. Mr. Doody made a motion for entering the Water Watch

Program and provide the Conservation Commission with the necessary support by the Board of Selectmen. Mr. Hart seconded this motion. The Board agreed to go on record as being in favor of the Water Watch Program. Mr. Balco asked if an article was necessary for the 1973 Town Meeting for the repairs at the Crooked Spring Reservation. Mr. Lannan stated that there was an article being prepared for the repairs to the dam. This will go under Chapter 90 work subject to Town Meeting. Mr. Doody stated that the Division of Waterways are going to meet and take this petition up at their next meeting in April.

Minutes approved.

Minutes approved by the Board of Selectmen were from meetings of October 30th, 1972, November 6th, 1972 and November 13th, 1972.

School Bldg. Committee to put article in warrant for swimming pool and theatre at new high school.

Mr. Lannan read a letter from the School Building Committee signed by Mr. James Sullivan, regarding the article submitted by the School Committee to have a swimming pool and little theatre built for the new high school. Mr. Lannan stated that based on Mr. Sullivan's wording and the questions that he has asked and the doubts that have arisen in my mind, I think we should turn this over to Town Counsel. They do not have money in for this article. Mr. Hart stated that we have to find out if these articles are legal. Mr. Markham stated that we should also send a copy to the Town Moderator for information purposes. Mr. Lannan asked if they are proper articles for town meeting action and would they be proper articles as they are presently worded. Mr. Markham stated the wording is appropriate but the articles will still be prepared and included in the Warrant and the results and recommendations can be made at the latest at Town Meeting time. Mr. Hart stated that he thought the School Committee should be made aware of this letter and that we have forwarded this to Town Counsel for his clarification. This would in no way interfere with the School Committee's articles. Mr. Matt Doyle stated that this may just represent Mr. Sullivan's opinion alone rather than the entire committee.

Reply from Atty.Zaroulas re: East Gate Plaza

A letter was read from Atty. Charles Zaroulas, Temporary Town Counsel on the DeMoulas zoning situation, stating he was sorry for the delay. He also stated that it was his understanding that no building permit was issued for the garden center building. It is also Atty. Zaroulas' understanding that East Gate Realty Corp. no longer is the owner of East Gate Plaza or Shopping Center, but is now owned by the Haverhill Realty Trust. Mr. Lannan stated that the Board will review this and be prepared to discuss it at a later meeting.

New Business

Mr. Doody apologized for not being present at the meeting last week. It was on Town Finance. I was a bit disappointed to find that we did not receive a letter from Town Counsel in response to our request concerning articles that were to be drafted for Town Meeting regarding the use of Revenue Sharing money and information on the bond interest money. Our letter went out to him on December 7th, 1972, and I discussed this with him on December 12th, 1972 and he met with the Capital Planning Committee on December 13th, 1972. These articles are very important and they have to be in for Town Meeting, both the Revenue Sharing and the interest on the High School bond note. Mr. Doody told the Board that the Capital Planning and

Budget Committee was established to study whether there was a need for a CP&BC in this community and how it should be structured. The Study Committee recommends that an article be placed in the Warrant and that the membership should be seven. It should include one member of the Finance Committee, the Town Accountant one member of the Planning Board, and four public members and that this committee would be appointed by the Selectmen for a three year term. Mr. Doody moved to have Town Counsel draft an article for the Town Meeting. Mr. Hart seconded. Mr. Lannan stated that he was in favor of this but he stated that we have information from the state which might be of assistance to this also. The state has volunteered to help towns in the structure of this committee.

New Business (continued)

Mr. Doody stated that the amount Chelmsford will receive in Revenue Sharing funds will mean $1.16 reduction in the tax rate. It might be helpful that we apply this toward controlling our taxes rather than reducing it. Some people would come in and advance a number of proposals. The money is going to be spent for other increased needs of the town. The School Committee increase was $246,000. for their operating budget. The board should be made aware we have this extra money coming in, have the town vote to control our taxes and not to cut them back. Make their recommendations for the Fire Station or Police Station or a new Town Hall. Use these funds for the need instead of for surplus funds. Mr. Lannan stated that the Board of Selectmen have voted to reduce the present tax rate. The only way the tax rate could be reduced is if they come up with the $33. After the determination is made for 1973, this will be taken into account for 1973. I am sure that our tax rate is not going to stay at $33. Also, the vote that was taken by the Board last week was to reduce the tax rate and not the only alternative that should be put before the townspeople and there should be other things that the people could vote on. Mr. Doody stated that he was not interested in debating. Because we have there additional funds for operating the town, it would be helpful to reduce the increased taxes that we anticipate. Mr. Doody stated that since the time we sent the letter to Town Counsel asking him to submit drafts of articles for the Capital Planning and Budgeting Committee on: 1. application of interest income from the Bond Issue for the new high school and the three revenue sharing articles (reducing existing taxes, reducing the cost of existing bond issues, apply funds for expenditures on new operating or capital costs), Mr. Blackadar has informed us that the Town will not save anything on bond issues. The other articles should be those two options. Mr. Lannan stated this money can only be applied to the school. If it was $3, it would be against the general administration.

Mr. Doody asked that a new control system be set up in the Selectmen's office informing the Selectmen of all meetings they should be attending. He also wished to be informed of the Finance Committee and negotiation meetings. He also asked that the committees be reminded to submit their reports for the Town Report. Mr. Doody requested that Mrs. Stratos be sent a reminder for the Youth Center Committee report. He also requested that Mr. Kerr draft up a report for the Drug Abuse Task Force for 1972.

Mr. Markham suggested to the Board that we adopt a resolution pertaining to the passing of former President Harry S. Truman.

Also, offer official condolences of the town to the Truman family recognizing his accomplishments as president and set aside a page in the minutes in his memory. Mr. Hart seconded the motion.

Mr. Markham stated that we had a reply from the American Ambulance Service that he is increasing the costs to the Town as of January 1st, 1973. I would suggest that the Selectmen's office prepare a work statement which would be issued for call for bids for ambulance service. Include in the work statement, at a minimum: 1. Words to the effect that there would be no assignment of the contract or any portion thereof to any other bidder. 2. The bidders would be required to submit with their bids a deposit in the amount of $2,000. (Subject amount to be returned to bidders after contract has been awarded.) 3. The successful contractor (or bidder) would be required to provide the town with a certified auditor's statement as of December 31st of each year showing or including such things as calls made in the Town, charges billed, fees collected, both private and from the Town, and any other data relating to the ambulance service in the town. This would also include any other items pertinent to the ambulance service in the work statement. The work statement draft would be returned to the Board for approval prior to being issued for bids. Mr. Lannan stated that this would have to be determined from Town Counsel if we can put this in specifications for bids. I am not sure we can bind a bidding contractor. Mr. Markham moved to first determine the legality of this approach with Town Counsel and if his reply is in the affirmative, we can proceed. Mr. Doody seconded the motion. Mr. Markham also motioned to have Town Counsel prepare an article which would establish a seven member ambulance review committee to report back at the next Annual Town Meeting or sooner. This committee would consist of the Fire Chief, The Police Chief, one Finance Committee/ Capital Planning Member, one Selectmen, and three citizens at large appointed by the Moderator at Town Meeting. Mr. Lannan stated that we could do this without Town Meeting approval. Mr. Markham felt that we should have an article for this. Mr. Hart seconded Mr. Markham's motion. He stated it will give us a feel of what the people want and what they are looking for.

New Business (continued)

Mr. Hart moved to adjourn, seconded by Mr. Doody. The meeting adjourned at 9:20 P.M.

Meeting adjourned.

For the Board of Selectmen by,
Marion P. McReady

Special Meeting held December 30th, 1972. Members present were Mr. Lannan, Mr. Hart, Mr. Humphrey, Mr. Doody, and Mr. Markham. Also present was Mrs. Evelyn Haines, Administrative Assistant to the Board of Selectmen.

The Board of Selectmen at a special meeting held Saturday, December 30th, 1972 at 10:30 A.M. voted to declare an emergency for snow and ive removal due to the fact that a storm occurred on December 30th, 1972, and there was not sufficient funds in this account to pay the liabilities incurred. Those present voted in favor of this. The meeting adjourned at 10:45 A.M.

Special Mtg. for emergency snow removal.

For the Board of Selectmen,
by, Evelyn M. Haines

Regular meeting of the Board of Selectmen, held January 3rd, 1973, commencing at 7:30P.M.

Members Present.

Members present were: Mr. Gerald Lannan, Chairman; Mr. Doody; Mr. Humphrey; Mr. Markham. Mr. Hart was not present due to sickness. Mrs. Evelyn Haines Administrative Assistant was also present.

Members of the press present.

Members of the press present were:
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr Gus Webster

Pick-up days for recycling of paper

Mr. Lannan stated that he wanted to remind the Board of Selectmen and the townspeople that the pickup for the paper for the recycling program will be conducted the last week of January, the week starting with January 28th, 1973 and thereafter, the last week of the month.

Silicon Transistor safety features now approved.

Mr. Lannan read a letter from the Fire Chief stating that all the safety features that were requested by the Selectmen have been installed at Silicon Transistor, KSC Way. Still pending is an engineer's certification for the ventilation system.

Appts. to Memorial Day Comm. 1973. Leg.Post 212

Mr. Lannan read a communication from the American Legion, Chelmsford Post 212, Inc. stating that they have nominated the following men to the Memorial Day Committee for 1973: Mr. Harold Woodman; 13 New Fletcher Street; and Mr. Herman Purcell, 336 Acton Road. Mr. Humphrey moved in favor of these appointments, with Mr. Doody seconding the motion.

Appts. to Memorial Day Comm. 1973 Leg.Post 313

A communication was read from American Legion, Alberton Vinal Post 313, Inc. stating that the following were elected to the Memorial Day Committee; Mr. Edward Fallon, 19 Dunshire Drive, and Mr. James Fantozzi, 1 Princeton Blvd. Mr. Humphrey moved in favor of these appointments, with Mr. Doody seconding the motion.

Request names for Comm. to Colors for Town Seal.

Mr. Lannan read a letter from Mr. Edward Quinn informing the Selectmen that he will give them the names of interested citizens for the formation of a committee to submit colors for the Town Seal. Mr. Lannan asked that Mr. Quinn submit these names now and the Board will approve these names for this committee.

Waiver to instigation of kindergartens in Town.

Mr. Lannan read a letter from Mr. Thomas A. Piggott, Legislative Counsel which stated that we have requested a waiver pertaining to the instigation of kindergartens in your community. The league has filed legislation requesting action to extend the instigation for two years. They asked that we provide a detailed and specific explanation of our position or a copy of the waiver request, so that the Massachusetts League of Cities and Towns may make a logical and reasonable presentation to the Committee. The Board agreed to forward this letter to the School Department as they had requested the waiver.

N.M.A.C. budget for 18 months and share for Town.

Mr. Lannan read a letter from Mr. Joseph P. Hannon, Director pf Northern Middlesex Area Commission informing the Selectmen that the N.M.A.C. at its meeting held December 13th, 1972, voted unanimously to adopt a budget for the next eighteen months which will require assessments on member cities and towns in the amount of $87,000. Chelmsford's share is $12,455.95. Of this amount, $8,303.07 is the amount required for the period January 1st, 1973 through December 31st, 1973. The balance of $4,151.98 will be required for the period January 1st, 1974 through June 30th, 1974.

Mr. Lannan read a letter from Mr. Edmund Polubinski, Chairman of the Crystal Lake Restoration Committee, stating that the engineering firm of Fay, Spofford and Thorndike has assured this committee that the preliminary plans and cost estimates of building a dam and related work at Crystal Lake would be in our hands by the end of February 1973. It is our understanding that the money to pay for the final working plans and actual construction will have to be paid for by the Town of Chelmsford. This money to be raised by a bond issue if so voted at a town meeting. Under terms of a bill filed by Rep. Freeman, the Town of Chelmsford would be eligible for re-imbursement of said costs We request that an article be placed in the Annual Town Warrant seeking such funds. The Board was in favor of forwarding this letter to Town Counsel to prepare an article for town meeting action.

Crystal Lake plans and costs to be submitted by Fay,Spofford & Thorndike. Article to be submitted at Tn.Mtg. for reimbursement of funds to Town.

Mr. Lannan read a letter from Mr. Carl W. Seidel, a member of the Dog Leash Committee, stating that this committee has compiled information concerning various enforcement procedures of the dog leash laws in neighboring towns. This information was attached. Based on this information and our previous recommendations for strict enforcement of our leash law we recommend; 1. The hiring of one full time dog officer (special police officer) at $120-$140 per week. 2. The hiring of full time (or several part time hourly) assistants at $2.50 to $3.00 per hour. 3. The use of a separate phone number at the police switchboard for townspeople to call with their complaints. An alternative would be an answering service. 4. A daily log be kept of the phone calls to be signed by the dog officer or his assistant at the end of his duty day. 5. The town make available a portable two-way police radio to be used by the dog officer or his assistnat. 6. The town purchase or convert a town vehicle to an air conditioned truck to hold dogs. The dog officer should have an alternate vehicle available to him when the town vehicle is not running for which he will be paid mileage. 7. The dog officers phone number be widely publicized in all town listings including the various phone books. We also recommend that the Selectmen consider building a town kennel and a burial lot on town land. These recommendations were by Mr. William Ary, Mrs. Elizabeth Bartlett and Mr. Seidel. They also stated that they did not believe a formal article in town warrant would be required to implement their nine recommendations. If a warrant article is required, they offered their assistance to the Selectmen and Town Counsel. Mr. Lannan stated that we are having a truck repaired at Nashoba and hope that it can be used by the Dog Officer. Mr. Olson, Purchasing Agent, present at the meeting, informed Mr. Lannan that the truck was in good shape and he would report back to the Selectmen when it will be ready. Mr. Humphrey stated that Mr. Seidel's letter was incorrect in saying that we did not need a formal article. I believe that we would before we can implement this program. The first thing to do is to build the building. I don't think that we can get a full time dog officer that has the building available. Have Mr. Seidel confer with the Town Counsel for an article for the Town Meeting warrant, and primarily, the construction of a dog kennel to be owned by the Town. If we

Report from Dog Leash Law Comm. stating various procedures to enforce dog leash law.

lose the present dog officer, we lose the kennel. No one else has a license for a kennel. Mr. Markham stated that this committee certainly has done a lot of research in relation to the other towns. I would support an article for the warrant so that the townspeople can indicate if they want a full time dog officer. The Board agreed to forward this to Town Counsel for preparation of articles for the 1973 warrant.

4-C (Community Coordinated Child Care) presenting there program to Board.

Mr. Lannan read a letter from the 4-C Committee of Greater Lowell (Community Coordinated Child Care) informing the Selectmen of a special meeting held concerning Revenue Sharing on Tuesday, December 19th, 1972. It was decided to request the surrounding towns and cities and also Middlesex County to allocate some portions of their general Revenue Sharing Funds to Children's programs with the following federally designated priority areas; health, recreation and social services for the poor. On Monday, January 8th, 1973, the 4-C Committee is holding an area wide meeting to discuss and finalize specific programs and budget recommendations which will be made to each city and town and to the county. They are asking to present to the Selectmen or to the voters at the town meeting, whichever is appropriate, specific recommendations concerning children's programs in our Town. They are also inviting the Selectmen to attend this meeting on January 8th, 1973. The Board agreed to find out more about this organization to see if Chelmsford should have a representative on it. Mr. Lannan asked that we ask the Department of Community Affairs for information on the 4-C's.

Request for one pole on Main Street.

Mr. Lannan read a request for one pole on Main Street. There is no public hearing required. This is approximately 104 feet Northeast of School Street. Mr. Humphrey moved to approve this request with Mr. Doody seconded.

Bi-Centennial Comm. request funds needed.

Mr. Lannan read a letter from Mr. George Parkhurst, Chairman of the Chelmsford Bi-Centennial Committee requesting $5,000.00 of the funds allocated to the Celebration Committee in 1973. Mr. Parkhurst explained that most of the events planned are self-supporting but they will have to spend some money now to reserve the bands.

Mr. Humphrey moved to approve a request for a transfer of a gasoline license for the storage of 4,000 gallons of gasoline stored underground from Royal L. & Katherine C. Larson to Robert M. Hicks. This service station is located at 272 Old Westford Road, near Old Westford Road and School Street. This transfer must be by the vote of the Board. Mr. Doody seconded the motion made by Mr. Humphrey. Mr. Markham stated that he had recalled this location had been before the Board of Appeals for an increase to expand and it has been a practice of this Board to have at least an informal hearing on such transfers and I would move to amend the motion to table action following a hearing with the applicant at a subsequent meeting of this Board. Mr. Humphrey stated that this is not a motion to amend. Mr. Markham's motion failed for lack of a second. Mr. Markham stated he didn't believe he would be opposed to the transfer but he thought the Board should recognize that there has been a lot of controversy in this particular area and before a transfer, he would like to hear more about this and also see a hearing take place. Mr. Lannan stated that the only thing he knew about it was that it went before the Appeals Board for expansion and it has nothing to do with a transfer of the existing license. It is just a transfer of license from one person to another person. Mr. Humphrey, Mr. Doody, Mr. Lannan voted in favor of this transfer. Mr. Markham was opposed to this transfer.

Mr. Lannan stated that Mr. Robert Olson, Purchasing Agent, was present at tonight's meeting to answer any questions by the Board regarding the bids for the printing of the Town Report, Finance Committee Report, and the List of Men and Women. After hearing Mr. Olson's comments, Mr. Lannan asked if the Board was desirous of taking any action on the awarding of bids of these reports. Mr. Humphrey requested that we delay taking any action. There was a problem when we awarded the contract to Creative Impressions. Have a representative from Somerville at our next meeting and also Mr. Olson. If the second bidder can do better than a local contractor, give him the bid. Mr. Markham stated that we should invite Goodway where they were the low bidder. Mr. Humphrey stated that they do not comply with the specifications. Mr. Humphrey stated that he had no objections to having Goodway come in and dispute Mr. Olson's recommendations. Mr. Doody recommended having both the low bidders come in at the same time to see if they can meet the specifications. Mr. Lannan asked that Goodway and Somerville Printing representatives be notified to meet with us next week at 7:30 P.M. Mr. Humphrey objected to Mr. Markham asking to have Mr. Picken come to this meeting. He stated that if he wanted to reac it in the papers, he could come but he does not need a personal invitation.

Discussion regarding the awarding of the bid for the printing of Town Report.

The Selectmen received requests from residents requesting zoning changes in Town. The first petition requested a zoning change at the South Chelmsford Rod and Gun Club and the other for land owned by the Parish of All Saints'. The Selectmen also received petitions to enter articles for the purchase of land in the Westford road area for recreation facilities; an article regulating the dismissal of uncompensated town officials and and article which would exempt residents over 65 from paying more than 10% of their income for property taxes, if they have lived in Chelmsford for 10 years. They may not earn over $6,000 each or $7,000 combined and not have an estate of over $35,000 each or $45,000 jointly. The Board agreed to forward this article to Town Counsel for a ruling on the legality of this article. On the first two of these petitions the Selectmen will inform the parties that it is their responsibility to have a hearing with the Planning Board and Dorothy Brown, to purchase land for recreation facilities will be told that appraisals must be obtained. Another article regarding Revocation of Appointment, it stated that whenever an appointment to an uncompensated town office is revoked, the Board of Selectmen or other appointing authority shall cause written notice of that action, along with a statement of the specific reasons therefore, to be sent within 48 hours by registered mail to the affected individual at his last known address. This requirement shall apply to revocation only, and not to a decision against reappointment at the expiration of a fixed term.

Articles regarding zoning changes at So.Chelmsford Rod & Gun Club: the purchase of land in Westford Rd. area; the dismissal of uncompensated town officials; exempt residents over 65 yrs.of age to pay not more than 10% of income for property taxes.

Article received from Am.Leg.Post #366 to vote for transfer of parcel of land on Gorham St.

Mr. Lannan read an article received from Manuel T. Sousa, Commander American Legion Post #366 to see if the Town will vote to authorize transferring title of a certain parcel of land located on Gorham Street, to the American Legion Post #366. Mr. Lannan wondered why they don't wait until the East Chelmsford Fire Station is vacant.He asked that this be held on file until the fire station becomes vacant. Mr. Humphrey said that this would require town meeting action. Mr. Lannan asked that Mr. Sousa be informed that the Board cannot vote on transferring a piece of property, but that we would transfer it when it is available. Also, the Board would welcome an article when they decide to no longer use the East Chelmsford Fire Station for its present purposes.

Report on Rivermeadow Brook; bacterial count above normal.

Mr. Lannan read a report from Mr. James Miller who is a graduate student in Biology at Lowell Tech. This was in regard to a study he did on Rivermeadow Brook. The study showed that the coliform bacterial count is five to ten times above the state level. He suggested that possibly the major source of the pollution was from septic systems in grounds that cannot accept them. Mr. Lannan requested a copy of this report be sent tothe Board of Health and Conservation Commission.

Atty.Zaroulis' opinion re: fence at East Gate Plaza

Mr. Lannan read acting Town Counsel Charles Zaroulis' opinion regarding the East Gate Realty Corporation. After reading the opinion, Mr. Lannan stated that it seemed to him that there were certain portions of this opinion that were discussed before he came on the Board and the action with the Board of Appeals and Planning Board happened prior to 1965. I do recall there were discussions with regard to the gate that is in the fence. The fact that the people requested that the gate be put there for them so that they would not have to go all around the fence. It was made to go down past Grant's auto store. There wasn't any shrubbery. We made them put shrubbery up. The Building Inspector did tell the Board that the requirements were met and that the fence that was continuous in the rear met with his approval and we also put a lock on the fence and the lock was broken off. It is my recommendation that we forward this to the Haverhill Realty Trust and ask that they read the opinions by our acting Town Counsel on this matter and that they immediately get in touch with our Building Inspector to see if there are violations or not. Mr. Humphrey agreed with Mr. Lannan. Also, ask them to respond to the allegations that appear to be in violation of the zoning by-laws and have them report back to this Board and at that time we would bring the Building Inspector into the picture. I don't know how we got this far with Mr. Zaroulis. The only request was a ruling as to whether the Building Inspector's opinion was a violation of the court, that they took something away from our by-laws. That was contained in his letter to us. I did not agree with the Building Inspector that they had forfeited their license. He has gone somewhat beyond this and how he got involved in this old rehash. I don't think there is anything definite. It appears or in his opinion and we should contact an engineer. Anton's parking - we had the Building Inspector go down there and certify to the Board that we have sufficient parking there. Everybody wants to be up near the building, nobody wants to be near Chelmsford Street. I would go along with the Building Inspector's opinion that there is sufficient parking. The fence was put up improperly with a lock in it. We ordered the fence locked some years ago. It was conveyed to us by the Building Inspector that the gate had been locked. People in the area broke the lock because they constantly used it as a way to the shopping center. The gate does not disturb any one. I think the fact that the people want to use this, if there is any question as to whether they use it for this purpose, look at the path that has been worn. We go on and on with this situation, some residents, when the shopping center was comtemplated, the people who have the property have been constantly harrassed for eleven years now to my knowledge. The taxes the town has been realizing and for the particular infringicies that have beentossed in this man's face. I called the Assessor's and this building was assessed for $1,469,000. and they are paying a tax of $50,000. to the Town of Chelmsford. They also give scholarships for children and charitable contributions. The garden center is operating as a separate thing. I think the garden center grows out of something that it was not intended to be. It was also, to some extent, being taxed by the assessors. Even the assessors tax illegal buildings. Send the opinion of the acting Town Counsel to the DeMoulas people and have him report to us. Mr. Doody stated that we should refer this opinion to the owners for their review and then turn it over to our Town Counsel. Have a copy of the letter sent to both Town Counsel and the Building Inspector. Mr. Humphrey stated that this was a rehash of old hash. Mr. Markham stated that he did concur that the property owners are entitled to review a copy of this, but I would like to suggest that after the copy has been sent to the Building Inspector we should ask for his reply and this should be forth coming to the Board as soon as possible. We should have this report before we receive the property owners reply. Then we could have an opinion from the Building Inspector and also a copy of all correspondence to Town Counsel. One reference was made on two different occasions concerning the Building Inspector's report on parking. Is that the report from last April? Mr. Humphrey stated yes, April 27th, 1972. I think we looked at that report and it was not signed. The question regarding the garden center in that particular report was raised again sometime around early June when we had a request for summer hours. I think the April 22 report reappeared sometime in early June, and a request was made of the Building Inspector on the Garden Center and that report is still outstanding. Until I see the complete report, I certainly could not agree that the parking is adequate as indicated because the reports I have seen from the Building Inspector do not take into consideration all the structures there. It is unfortunate that one member of the Board is not here. We may give Mr. Hart an opportunity when he is here to donate his comments concerning his opinion. I think that we have spent probably, prior to my joining the Board, many hours on this particular parcel of property and I don't think this Board should be embroiled in it, in terms of this Board, for various opinions. The by-laws are either black or white. Several years ago, a court decree was signed by three parties including the Town. These statements are black or white, and I think the Building Inspector or the Town Counsel should respond, in terms of the temporary garden structure either it does compy or it doesn't comply. It can be determined as being proper or not proper and I think in concluding, that this Board, since we spend dollars in legal cases, Town Counsel received $5,000 for the Mill Road project for this past year. We paid for Town Counsel for property in East Chelmsford and on Stedman Street, Certainly I

(Continued)
Discussion
regarding
East Gate
Plaza.

(Continued)
East Gate
Plaza
discussion

would agree that the Shopping Center does make a contribution to the Town. I certainly did not want to have steps taken backwards. If some of these situations are in violation, they should be corrected to the best of everyone's ability, and the Board should attempt to have these matters resolved for once and for all. Ask the Building Inspector for his comments and copies be provided to Town Counsel. Mr. Lannan stated that in the case of Town Counsel, he would have to make this stipulation, this is the reason we appointed an acting Town Counsel. Mr. McCarthy has done legal work for East Gate Realty Trust and has asked to be excused of any involvement in this, therefore we appointed an acting Town Counsel. Mr. Markham stated that he would like to hear from Mr. McCarthy if this is still his feeling. I respected it at that time and I still will, but I think that this particular board should initially discuss it with the permanent Town Counsel. Mr. Humphrey moved that the board forward the communication from Atty. Zaroulis to the owners of the property and their attorney for comments on the allegations for rebuttal to be returned to this board for our review, and upon receipt of their response, send a copy of the letter to the Building Inspector, in answer to questions that have been raised. Mr. Doody requested that a copy be sent to the Building Inspector and Mr. McCarthy. I don't want to wait eight months to get another opinion. Mr. Lannan stated that he would have to talk to Mr. McCarthy because of his involvement, whereas we appointed Mr. Zaroulis. Mr. Humphrey stated that there is nothing wrong with sending a copy to Mr. McCarthy. Mr. Doody seconded Mr. Humphrey's motion. Mr. Markham made a motion which stated that along with the copy sent to the Building Inspector, he be asked to reply to this Board within 30 days. Mr. Humphrey asked if Mr. Markham wanted to ask the present Building Inspector, for we have answers from four Building Inspectors. We keep asking the Building Inspector to interpret what is going on. Mr. Markham stated that we can not go back to the previous Building Inspectors, and that we have a Building Inspector who is capable of determining a black and white situation, so I am moving that he be asked to reply to the report of Atty. Zaroulis within 30 days. Mr. Humphrey stated that in the past he has rendered a decision on the parking that you are apparently not accepting at this time. Mr. Humphrey asked Mr. Markham if he would accept the Building Inspectors answer. Mr. Lannan asked if there was any objection to this and Mr. Humphrey stated he thought it was too soon to receive a reply from the Building Inspector. Mr. Doody stated we should work with a whole package. We could also send it to Town Counsel, but that would only be muddying things up. Mr. Markham stated that if the parking was as simple as Mr. Humphrey stated, he was sure the Building Inspector would have replied to the letter of June 14th by now. I will leave my motion as stated; a copy go to the Building Inspector and that he be asked to reply to the board within 30 days. Mr. Humphrey stated that he has already replied to one of them. How do you want him to reply to that one. Mr. Markham's motion failed for lack of a second. Mr. Zaroulis' bill was for $270.00

Mr. Lannan read a communication from the Department of the Treasury showing the data used to compute the revenue sharing allocation for Chelmsford. Population 31,432, per capita income $3,755. aggregate income $118,227,160. adjusted taxes

$2,927,403. and Intergovernmental transfers $2,955,860. Mr. Humphrey stated that these figures were difficult to read from the copy and asked that the press not quote them as being accurate. He also requested that Mr. Blackadar be contacted to see if he agrees with these figures, and have him interpret them. The per capita income, he would have to get from the census bureau. I want to see a communication come back from the Town Accountant on this request. Mr. Doody asked that this date be obtained from the other surrounding towns in order that a comparison may be made. Mr. Humphrey also requested that Mr. Blackadar review the figures that were used for "The Game" and our allocation from that source of revenue. It seems that again we might be short changed in that respect in comparison with other comparable size communities.

Revenue Sharing allocation for Town.

New Business.

Mr. Humphrey stated that the warrant has closed and we should forward almost immediately to Town Counsel those articles that we have. Mr. Lannan stated that he and Mrs. Haines were going to go over these articles with Town Counsel.

Mr. Doody asked for a copy of the letter that was sent to the Highway Department regarding Graniteville and Davis Roads. He also requested a copy of the letter regarding the establishment of a Capital Planning Committee.

Mr. Markham asked that a communication be sent to the Highway Department regarding water running off a hill at 75 Davis Road almost at the corner of Old Westford Road. This water is running continuously on the roadway and onto private property and is causing hazardous road conditions, water is actually running right down into the garage.

Mr. Markham stated that several months ago we had a request in writing in regard to controlling heavy trucks on Steadman Street in the early morning hours. He asked if Town Counsel was preparing an article in regard to control and restrictions on the trucks on Steadman Street.

Mr. Markham noted that the board has received a reply from the Building Inspector regarding North Chelmsford Auto parts. The report indicates that the fence has been repaired but it says that the fence bounds all of the property. One can see that the fence does not cover all the property from an observation on Tyngsboro Road. The vehicles should be put behind the fence or the fence should be extended. Also, it is still being referred to as Sleeper Street. Since they moved the trailer,one can not gain entrance from Sleeper Street. This should be corrected if the address is Butterfield Street. I think we have to determine what the address is from the Board of Assessors. We should find out if the address is where the entrance is. Mr. Lamnan requested that this be determined from the Assessors, and Mr. Markham asked that this information be turned over to the Building Inspector to see that the fence bounds all of the property. Mr. Humphrey stated that he did not think this was necessary. There is an extension of his property that does go beyond his property where vehicles are stores. Mr. Markham was asked if Mr. McHugh says there is a fence around the property, will he accept the Building Inspector report. Mr. Markham stated that the fence should be extended or the vehicles should be brought back behind the property. Mr. Humphrey stated that the

New Business (continued)

fence never covered all the vehicles. Mr. Lannan asked what were the conditions of the permit. Mr. Humphrey stated that he had to provide a suitable fence to cover the front of the area. Mr. Markham stated that both sides are not covered, and vehicles are sticking out on both sides of the fence. The press then questioned the Board as to the original request made of Mr. Zaroulis. Mr. Humphrey stated that he was asked if the cour violated the Town's zoning by-laws by the decree of 1965 concerning the location of the fence. Mr. Markham referred to the letter of May 15th from the Selectmen to Mr. Zaroulis asking him to check on possible zoning violations, implying a broader request.

Mrs. Ruth Delaney, present at the meeting, asked for a copy of the Zaroulis opinion as an interested citizen. The Newsweekly asked the Board if they would provide to the three press representatives a copy of the Zaroulis opinion on East Gate Plaza, stating it was such a lengthy document and by having a copy would make for better reporting. Mr. Lannan stated the Selectmen's office could not afford to make copies, and if they did this they would be deluged with similar requests from other parties.Mr. Doody suggested that one copy be made available for all three papers to copy. Mr. Markham moved to make this opinion available to the press and also to the parties involved in the court decree. The motion would include four copies. Mr. Markham's motion failed due to a lack of a second. The Board agreed to make a single copy as suggested by Mr. Doody available to the press.

On a motion by Mr. Humphrey, seconded by Mr. Doody, the meeting was adjourned at 9:55 P.M. A unanimous vote followed.

For the Board of Selectmen,
by, Marion McCready

Regular Meeting of the Board of Selectmen, held January 8, 1973, commencing at 7:30 P.M.

Members Present

Members present were: Mr. Gerald Lannan, Chairman, Mr. Doody, Mr. Hart, Mr. Humphrey, and Mr. Markham. Mrs. Evelyn Haines, Administrative Assistant was also present.Mr. Lannan Presided.

Members of the press present.

Members of the Press present were:
Chelmsford Newsweekly; Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Scout Troop #74 observed Sel. Mtg.

The Boy Scouts of Troop 74, with their troop leader Mr. Johnson, were welcomed to the meeting and Mr. Lannan told them of the duties of the Selectmen. They attended this meeting to observe and work toward their merit bade on citizenship. The scouts that attended were Robert Alden, Ken Lyon, Jack Lilly, Andy Thomas, Jay Laurin, Charles Plummer, Ed Plummer, Norm Cease, Paul Wiggins, Rich Johnson, Mike Manekal, Bob Drury, J. Lawrence.

Renewal of Auctioneer License

Mr. Lannan received a request for a renewal of an Auctioneer's License for Stephen H. Farley. On a motion by Mr. Hart, seconded by Mr. Humphrey, it was voted unanimously to renew the Auctioneer's License for Stephen H. Farley.

Annual Reports due

Mr. Lannan stated that all Annual Reports are due on the 15th of January, 1973.

Waste Paper Pick-up.

Mr. Lannan announced that the first monthly waste paper pick-up will be made the week of January 28th, 1973.

Mr. Lannan stated that Mr. McCormack informed him that a Revenue Sharing check in the amount of $140,383.00 made out to the Town of Chelmsford was deposited today.

Revenue Sharing check deposited.

Mr. Frank Wojtas, Dog Officer, informed the Selectmen by letter that he has investigated the complaint of Mr. Joseph O'Rourke of 23 Biscayne Drive and feels the situation is corrected. Mr. Gillette of 18 Biscayne Drive removed the dog from the neighborhood. Mrs. Lucas has promised to keep her dog chained on her own property. Mr. Markham requested that a copy of the dog officers letter be sent to Mr. O'Rourke.

Report from Dog Officer Regarding dog complaint on Biscayne Drive.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was voted unanimously to grant Massachusetts Electric Company two pole location abandonments on Garland Road.

Mass.Electric 2 pole abandonments

Mr. Lannan read a letter from the Highway Department, stating that the Engineer and the Highway Superintendent reviewed the plans for Sleigh Road, Thomas Drive, and Percheron Road. Sleigh Road and Thomas Drive are completed. Percheron Road has been completed with the exception of installation of headwall, loaming and seeding and the installation of bounds. The Planning Board holds a bond to cover this unfinished work and the developer plans to complete the work in the Spring. Mr. Humphrey stated that before we accept the one that needs more work, we should get a letter from the developer stating his plans. We also have to notify the abutters that there will be hearings set up. Hearings are usually held the first or second week in February.

Highway Dept. & Engineer check Sleigh Road, Thomas Drive and Percheron Rd.

Mr. Lannan read a letter from Mr. Robert Messersmith, President of the Chelmsford Pop Warner Football Inc., asking permission to hold an organizational meeting in the Town Hall on Thursday, January 18th, 1973. Also, he thanked the Selectmen for their support in the past. The Selectmen approved this request.

Request by Chelms. Pop Warner Football,Inc. to use Town Hall for mtg.

Mr. Lannan read a letter from the Purchasing Agent stating that the attached letter from Mr. C. F. Mistretta, District Highway Engineer, rejects a request by the Town of Chelmsford to award a contract to LeBaron for the installation of signs on Acton Road. Reasons for not recommending Collier IE-EE, the low bidder, have been documented and are on record. Bids received in March 1972 were valid for thirty (30) days. Collier IE-EE raised his bid by $100.00 when asked if original bid was still valid, LeBaron confirmed his price as the same and still valid; however, no response was received from Morse Brothers, the high bidder. Recommendation is made that all bids be rejected and new bids be solicited for this work. Mr. Mistretta's letter stated that the reasons given for requested rejection of the bid for the low bidder - Collier IE-EE in the amount of $3,133.00 does not appear to be warranted. It is understood that this contractor has performed similar work involving the installation of signs, and unless additional reasons can be given, we will be unable to concur with your request that the second bidder - R.W. LeBaron, Inc. be awarded a contract for this work in the amount of $3,600.00. Mr. Lannan stated that this money was 100% reimburseable. On a motion by Mr. Humphrey, seconded by Mr. Hart, it was voted unanimously to take the advice of Mr. Mistretta and readvertise for bids on the installation of the sign on Acton Road.

Discussion regarding bids for installation of signs on Acton Rd. Voted to readvertise for bids.

The Board agreed to send a copy of a letter from the Commonwealth of Massachusetts, Adjutant General's Office regarding a National Guard Domestic Emergency Seminar to Mr. Charles Koulas.

Discussion with residents of Westford St. & School St. regarding parcel of land owned by Royal Larson, and purchased by Robert Hicks

The Selectmen met with residents of Westford Street and School Street. These residents wanted the Selectmen's support in placing an article in the Town Warrant asking that the Town vote to acquire by eminent domain, a certain parcel of land owned by Royal Larson. This land is to be purchased by Robert Hicks to construct a more modern service station than the one which now presently exists on the property. Mr. Peter Dowd represented the residents. He stated that there was a Little League field there now and plans by P.A.R.C. for a playground nearby. He told the Selectmen that a more modern service station would increase traffic and that already a stream near his home was being polluted by gasoline. He referred to the fact that the Board of Appeals had turned down a request by Mr. Hicks for an increase in gasoline storage. Mr. Dowd also stated that the owner may be violating the zoning by-laws in that it was a non-conforming use discontinued. He stated that the Town needed recreational facilities more than it needed new gas stations. Mr. Lannan informed those present that just last week, the Selectmen had taken action to transfer the license to Mr. Hicks. Mr. Lannan stated that this article will be inserted in the Warrant, but you must arrange for a Planning Board hearing and appraisals will have to be obtained for this property. Mr. Humphrey stated that he felt as the people in the area did, that if there is recreation in the area, there sould be no industry. He asked Mr. Dowd to explain construction abandonment as a possible zoning violation. Mr. Hart offered to sponsor the article and ask the Finance Committee for the money for the appraisals and if there were none in this source to take it from their own fund. This was seconded by Mr. Humphrey. Several residents made the point of saying if Mr. Hicks were allowed, to proceed with his plans the property value could be increased. Mr. Markham said he supported the article but felt it was unfortunate that the Board granted the transfer last week. Mr. Lannan stated the Board had to or there may have been court action, but Mr. Markham said not if it had been postponed. Mr. Markham also asked that these residents be informed of Wednesday's meeting of PARC, the Board of Selectmen and the Recreation Commission at 7:30 P.M. The President of PARC who was present stated there was danger in the area for children were playing around the gas station without supervision of an adult. Mr. Humphrey stated that Royal Larsen has given many kindnesses to the young people and that is the reason they still go there to help him. Mr. Humphrey stated "He has done more good than bad and I wouldn't want any other implication.

Meeting with Somerville Printing re: the printing of the Annual Town Report.

Warren Kelly of Somerville Printing met with the Selectmen to assure them that his firm could meet the specifications for the Annual Town Report. A representative from Goodway was also asked to attend this meeting but he do not appear. Mr. Kelly stated that he would not sub-contract the work and had previously done other Town Reports. He showed the Selectmen samples of other Town reports his company had done. He also stated that the distance would not be a problem as he already had customers in Chelmsford who he served on a daily basis. Somerville Printing has a 24 hour correction line and they proof read everything and would assume that responsibility. The method they use is offset. After a discussion about printing the book and the printing of previous town reports, Mr. Markham moved to award the printing of the Town Report to the second lowest bidder, Somerville Printing at $19.00 per page. The motion failed for lack of a second. On a motion by Mr. Humphrey, and seconded by Mr. Hard, it was voted, unanimously to once again have the Goodway Representative come to the Selectmen's meeting. Mr. Humphrey asked that a letter be sent to Goodway to protect the Board's interest. Mr. Markham stated that if they cannot attend, ask them to send samples, I could not make a decision on one page.

(Continued) discussion regarding printing of Town Report.

The residents of South Chelmsford submitted to the Board of Selectmen a petition for an article to have the Town build sidewalks on Acton Road from Sleigh Road to Proctor Road. A second article called for a Town plan for sidewalks throughout the Town where safety was needed. Both of these articles were presented after the town warrant deadline, but the Selectmen voted to accept them. Mrs. Wall spoke for the petitioners and stated that because of the accident last Wednesday where a young girl was seriously injured, the residents formed a petition asking that sidewalks be installed on Acton Road from Sleigh Road to Proctor Road because this road is heavily traveled by cars, trucks and school children. Mrs. Wall also presented to the Selectmen a petition from 315 children of the Byam School asking for the sidewalks. Mr. Hart moved to accept the article. Mr. Lannan stated that there have been several requests for sidewalks, and the estimate for one on North Road was $175,000. Mrs. Wall presented a second article which asked for a plan for sidewalks specifically for safety. Mr. Lannan stated he would check into EEA to see if funds were available and also into the Topics program. Mr. Lannan stated that at the last Massachusetts Selectmen's meeting in October, there was an article to present to the Legislature to make the State put sidewalks on one side of the street that have numbered highways. Mr. Humphrey moved to accept the second article also, and suggested that all sidewalk articles be placed in one article. Mr. Markham advised that the Board communicate with the North Middlesex Area Commission and asked that a letter be prepared thanking the Byam School children for their action in this matter. The Board was in favor of inserting these articles in the Warrant.

Petition received from residents of South Chelms. regarding the installing of sidewalks on Acton Rd. from Sleigh Rd. to Procto Rd. Also article to be placed in warrant regarding this.

Mr. Lannan read a communication from the Commonwealth of Massachusetts, Department of Public Works, Office of the Commissioner, Mr. Bruce Campbell, informing the Selectmen that they have just formed a new section within our Bureau of Traffic Operations to expedite the issuance of permits for the erection of STOP signs. Every request for a STOP sign that is sent in by March 1st, 1973, will be thoroughly evaluated by their staff and where warranted, permits will be issued by July 1st, 1973. After the determination has been made that STOP signs are warranted at specific locations, the Department will supply posts and STOP signs to the communities and requests that the communities use their own forces to erect these signs at locations indicated on the permits. They asked that a listing of intersections that need STOP signs be supplied

Letter from Dept. of Public Works regarding installation of STOP signs.

(Continued)
Discussion regarding STOP signs.

to the Department of Public Works. Mr. Lannan recommended that we take the list we have and send it in. Mr. Humphrey said that we should proceed with caution. He stated that he would rather see the Board pose the question as to what would the procedure be for those signs already erected to be approved. We should not indicate they are already up, and find out if they will approve them. Mr. Doody stated that we should also proceed with caution. He suggested that in the same letter, let them know that we have already been involved in the Topics program and we had a survey of where these signs were needed.

Letter from Chelms.Water Dist: unable to supply fire hydrant in area of Jr.High Sch. for flooding.

The Chelmsford Water District informed the Selectmen that they will be unable to supply a fire hydrant on Graniteville and Richardson Roads to facilitate the flooding of the Junior High School on there are no mains in this area. Mr. Humphrey wanted to know who put the water main in at the high school, and that there must be a main. How does the ice cream stand get its water? Mr. Lannan asked that this same letter that was sent to the Center Water District be sent to the North District to see if their supply to the new high school could be tied into a hydrant for this purpose.

Request for Auto Dealers Lic. for Toure Larson

The Selectmen received an application for a second class license from Toure F. Larson, 229 Old Westford Road, Chelmsford, to be located at 9 Butterfield Street. The Selectmen questioned whether this was zoned for business. Mr. Markham moved to send another letter to the Building Inspector asking if this as an appropriate use in that area on Butterfield Street. Mr. Lannan, Mr. Hart, Mr. Doody were in favor of this motion. Mr. Humphrey was opposed. The motion passed, with four in favor and one opposed.

New Business

Mr. Lannan stated that we had contacted Mr. Carter Lee, Attorney General's Office in regard to changing the datesof the Town Meetin and Election: The Election from the first Monday in March to the first Monday in April and the Town Meeting from the second Monday in March to the first Monday in May. He asked if the Board was in favor of having Mr. McCarthy prepare these articles. This would give the newly elected Board of Selectmen time to become familiar with the articles in the warrant before the Town Meeting. Mr. Markham stated that we should give this some more thought, for if we start Town Meeting in May, we will be running into the middle of June. The Board was in favor of forwarding these dates to Mr. McCarthy to have articles prepared for the Town Meeting.

Mr. Humphrey stated regarding Cushing Place,he reviewed the history of the Selectmen's requests to have dangerous building removed. He referred to a letter dated December 14th from Town Counsel to the Building Inspector asking for information be forwarded in order to start legal proceedings as directed by the Selectmen. Mr. Humphrey wanted to know if the Building Inspector had forwarded this information and if Town Counsel was proceeding with legal action, and asked for reports from both of them.

In regard to the Bentas property, Mr. Humphrey read a letter from the Superintendent of Highways, Mr. Rondeau to J. Paul Bienvenue regarding cost of $1,000. for surveying land on the Bentas property. Mr. Humphrey asked why an outside firm was asked, and not the Town Engineer as the Selectmen had requested. Mr. Lannan stated that the Town Engineer would not accommodate the Board. Mr. Humphrey stated this was the first he had heard of this, and asked why the Highway Superintendent had not informed the Board he was seeking bids. Mr. Hart asked why the Town Enginneer could not do this where the Town had a Town Engineer and why he could not do this job. Mr. Hart suggested to the Board that they ask the Town Engineer and Highway Superintendent to come to the next Selectmen's meeting to discuss this situation. The Board agreed. On a motion by Mr. Humphrey, seconded by Mr. Markham, it was voted unanimously to have both the Town Engineer and Highway Superintendent come to the Selectmen's meeting and report on Proctor Road, Parlmont Plaza, Town dump, Green Way, Locke Road and Overlook Drive. Mr. Humphrey also stated that on the Bentas case a Town road was going through private property and the Selectmen had tried to something about it.

(Continued)
New
Business

Mr. Humphrey also urged that the flooding of the skating rink at the McFarlin School be done. He observed that the area had been prepared for the flooding, but that no action had been taken. Mrs. Haines the Administrative Assistant stated that she had discussed the matter with the Fire Chief, and he told her he could supply the hose but could not pay the men to flood it. Mr. Humphrey then stated that the Board should instruct the Chief to do what was necessary to flood this area. Mr. Hart stated that last year the men had volunteered to flood the area.

Mr. Markham suggested that the Board make mention of the receipt of the Charter Commission Report. There is a majority report and a minority report included. We should make ever effort to get it before the Townspeople. Mr. Humphrey stated that he thought it looked like a draft and not the final report. Mr. Lannan requested that we get in touch withthe Charter Comm. to see what the next step is. Mr. Humphrey stated that they give us what we need. Incorporate the ballot question in the annual Town Meeting Warrant. We have to accept it and forward it to the Town Counsel for inclusion on the ballot. On a motion by Mr. Markham, seconded by Mr. Humphrey, it was unanimously voted to forward the Charter Commission report to Town Counsel.

Mr. Markham asked about the letter received from the A.B.C.C. Mr. Hart stated that he had talked to Town Counsel and that letter was a little backwards. Mr. Markham asked that the letter be read for the records indicating that we have received it. Mr. Lannan stated that this was a letter from the A.B.C.C. re: Chelmsford Wine Shop, Inc., James L. & Robert A. Wooster. The letter stated: With reference to the denial of licenses for the above, please be advised that you must give a reason for denial in accordance with the provisions of G.L. c. 138, S23, as recently amended. (Copy enclosed) Please forward your reasons for the denial forthwith. Mr. Hart stated that he called George Nelson and told him the reason we denied this license. He asked that we send in the reasons and then I contacted Town Counsel. Town Counsel requested the letter and any material on the two licenses.

On a motion by Mr. Humphrey, seconded by Mr. Doody, it was unanimously voted to insert an article in the 1973 Warrant to amend the zoning map from an RB to an RC District, the following described parcel of land on Littleton Road to the westerly side of Garrison Road. This article was by petition.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 10:00 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular meeting of the Board of Selectmen, held January 15th, 1973: commencing at 7:30 P.M.

Members Present.

Members present were: Mr. Gerald Lannan, Chairman; Mr. Howard Humphrey; Mr. Thomas Markham. Mr. Hart was not present due to illness and Mr. Doody was out of town due to a work commitment. Mr. Lannan presided.

Members of the press present.

Members of the Press present were:
Chelmsford Newsweekly: Mrs. Ann Marie Kierve
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Proclaim Jaycee-ette Day

On a motion by Mr. Humphrey, seconded by Mr. Markham, it was unanimously voted to proclaim Thursday, January 25th, 1973 as Jaycee-ette Day in Chelmsford. Mrs. Jo Ann Weinert represented the Jaycee-ettes.

Meeting with Mr. Lytle of Goodway reg: printing Town Report. Bid was awarded to Goodway.

The Selectmen met with Mr. Fred Lytle, representative from Goodway, who was the low bidder, regarding the Town Report. Mr. Lytle showed samples of Goodways work and gave the Selectmen background on this company. He stated they haven't done annual reports before, but had done work for the Department of Transportation which was similar work. He said he wanted to do the town report because he lived in town and it would be a personal thing for him. Mr. Lytle was told that in the past, the town has had sad experiences from companies they did not know about, and additional costs were added. Mr. Lytle stated the price he quoted was per page. There would be an additional cost of $5.00 for half tones. If you make any changes after it is typed, there will be additional charges. Mr. Lytle stated the number of pages will come out the same as last years, becuase the type will be the same as last year. Mr. Humphrey stated that we are still talking $16.94 per page for extra pages. Mr. Lytle said this includes two colors, $16.88 without cover. This would also include the binding. The paper would be the same quality or better than before. When asked by Mr. Markham, why one bid was higher, Mr. Lytle said he wanted to win them all. Mr. Markham stated you are aware they are not awarded as a package. On a motion by Mr. Humphrey, seconded by Mr. Markham, it was unanimously voted to award the printing of the Annual Town Report to Goodway, the low bidder, at $16.94 per page, including cover. The Selectmen asked that the Finance Committee be advised of this award and recommend Goodway for the Finance Report. On a motion by Mr. Humphrey, seconded by Mr. Markham, it was unanimously voted to readvertize for the list of Men and Women and reject all previous bids.

The Selectmen met with Mr. Rondeau, Highway Superintendent, to discuss unfinished work by the Town Engineer. Mr. Cavanaugh who was asked to attend this meeting, was not present. Mr. Lannan gave a brief history of what had taken place on the Bentas property from November, 1971 to the present time. Mr. Rondeau stated that he and the Town Engineer agreed to get a quote from Mr. Bienvenu to do the survey work on the Bentas property. This is just an estimate; there is no charge for this. Mr. Lannan had requested that Mr. Rondeau obtain the cost for this survey from a private firm because Mr. Cavanaugh, a part-time employee did not have the time to do this survey. Mr. Rondeau stated that there are no bounds or plans from Park Road to Tuttle Road. Evidently, this is an old street that just existed and there are no plans. There was just a verbal agreement between Mr. Greenwood, the former Highway Superintendent and Mr. Bentas. Mr. Greenwood straightened out the road, and there were no problems until Mr. Greenwood left the job. Mr. Bienvenu gave an estimate of $1,000. to do this work. Mr. Lannan stated that one of the things that disturbs this Board most is that this has been in the fire for over a year and a half. The town has to take some action. Either we take the property or take the road off this property. We need a description of the property to present it at Town Meeting. The Highway Engineer is part-time amd he does not have the time to put into this. Mr. Rondeau stated that he thought the Highway Department could come up with something on this but we found out there is no way we can check on this land. It took a lot longer than we expected. Mr. Humphrey stated that the Bentas people have been extremely patient to this Board and this Board has been lapse in not staying on top of this. We want to assure them that something will be accomplished in the near future. If there are no plans, this is not a job for a part-time engineer, he also does work for the Planning Board and other departments. I wish we had known this situation sooner so that we could have gotten another engineer in to do the work. We should put something in the budget for another engineer to straighten out this property, either relocate the road or compensate them for their property. Mr. Humphrey stated that we should put $1,500. in the budget and take bids from engineering firms. This is too extensive a job to be done by a part-time engineer. Mr. Markham stated that it is late but we find ourselves in a situation where a part-time engineer cannot serve the Town as originally intended. He stated that he would expect the engineer to spend weekends and vacation time from his regular job to do this work for the Town. In 1971, the Town paid Mr. Cavanaugh $4,465. and we spent $4,200. in 1972. He suggested that the Town Engineer and the Highway Superintendent prepare a report of the engineer's activities for 1972, just what work was accomplished. We have to decide whether we need a full-time engineer and if we have the right man in the right spot. Mr. Lannan agreed that we will have to see if we need a part-time or full-time engineer. Mr. Humphrey stated that he was convinced that we are getting twice as much from the part-time engineer. There is more behind the reason for this that can not be said at this meeting. Acquaint yourself with the activites of this individual, we are getting quite a bargain from our part-time engineer that we could not get from another individual. I think the Town today is large enough for a full-time engineer. Mr. Lannan

Discussion
regarding
the Bentas
property;
and discussion regarding the
Town Engineer

(Continued)

Discussidn regarding the Town Engineer.

stated that you are talking better than $16,000. Mr. Humphrey stated that we are not talking dollars; Mr. Cavanaugh is a regular engineer with 18 to 20 years of experience. The Board agreed to put $1,500. in the highway budget for engineering fees and upon approval of town meeting action, the Board would solicit bids for that project on Proctor Road. Mr. Humphrey referred to the lack of bounds in the Parlmont Plaza. This seemed to be the same type of situation as on Proctor Road. Mr. Lannan stated that the Town Engineer could not locate any bounds. He contacted Mr. Dumont, Mr. Parlee, Mr. Emerson, the Planning Board and there were no plans. Mr. Humphrey stated that an amount should be put in the budget for this work to be done, it won't be as expensive as the other one. Mr. Lannan stated the purpose of street bounds for Parlmont Plaza for snow removal and plowing. The Board agreed to have the Town Engineer and the Highway Superintendent mark off the road to the best of their knowledge as to where the bounds were. There is also another parking area for the postal employees. Mr. Rondeay informed the Board that Green Way and Overlook Drive will be ready for Street Acceptance in a few days. Mr. Parlee did not submit plans for the extension of Balsam Drive.

Town Reports due.

Mr. Lannan stated that all Annual Town Reports were due today.

Newspaper pick-up week of 1/28/73.

Mr. Lannan announced that the first monthly pick-up of newspapers will be the week of January 28th, 1973. Mr. Humphrey stated that this is in regard to recycling and if we expect any further activity, it will depend on the success of this first drive.

Letter from EEA, Mr. Clark reg: the construction of sidewalks.

Mr. Lannan stated that we received a communication from the Project Director of EEA, Mr. John Clark. In answer to the Board's request, Mr. Clark reported that neither Chapter 90 of the General Laws or the TOPICS Program indicate in their literature that funds are to be made available for the construction of sidewalks as such. The concern seems to be directed more towards highways and streets to alleviate congestion and to move traffic more safely. In talking to the chief coordinator for the TOPICS Programs, he advised that sidewalks could be given consideration only if they were adjacent to highway construction. The District Highway Engineering Office, the County Engineering Office, and Mr. Joseph Hannon, Director of N.M.A.C. stated that funds are not available for this type of construction. Mr. Clark also telephoned Congressman Cronin's office and they assured him that research would be done to determine if State or Federal programs are available for this type of construction and we would be advised of their findings.

Request received from Police and Fire Chiefs to approve statutory increases.

Mr. Lannan read a communication from the Town Accountant stating the accounting office has received a request from the Police and Fire Chiefs to approve the statutory increases granted them under recent legislation and denied to them during the Phase II Federal Wage Regulation. They also request the increases voted to the Deputy Chief-Fire and Captain-Police. Due to the amounts involved, and the confusion involved in understanding Phase III, Mr. Blackadar requested an opinion from Town Counsel as to the propriety of granting these increases at this time. Mr. Humphrey stated that this answer might be received from the Office of Price Control for nothing. If his opinion was in the affirmative it would have to be voted at the next Town Meeting. There are no funds available at the present time. It would have to be retroactive. Mr. Markham stated that the I.R.S. is still playing a role in this. Inform Mr. Blackadar funds are not available until voted at Town Meeting. Also, request Mr. Blackadar to put this in writing to I.R.S. this subject is not new to them.

Mr. Lannan read a communication from Mr. George Hedrick representing the Chelmsford Exchange Club requesting an appointment for January 22nd, 1973. The Exchange Club wanted to have the Selectmen sign a Proclamation for Crime Prevention Week.

Request to proclaim Crime Prevention Wk.

Mr. Lannan read a communication from Post 366, Manuel Sousa stating that they felt that the article for the East Chelmsford Fire Station should be presented at the present time. The words, when it is available, are included in the article. The Board was in favor of presenting the article for Town Meeting approval.

Post #366, requesting article for East Chelms. station.

Mr. Lannan read a copy of a letter from the Building Inspector to Harvey Building and Wrecking Co., Inc. This was in regard to buildings located at Cushing Place, Central Square, Mr. McHugh stated that he was condeming said buildings to be unsafe to life and limb, unused, uninhabited, or abandon and open to the weather. Said building will be so posted. These buildings were to be torn down. Mr. Humphrey stated that he was very pleased that we have started to move.

Letter from Bldg. Insp. regarding tearing down of bldg. Cushing Pl.

Mr. Lannan read a letter from Peter McHugh, Jr. Building Inspector in answer to the Selectmen's request for a status report regarding the property of Charles Vrouhas at 259 Littleton Road. Mr. McHugh received a letter from Atty. James M. Geary, Jr., Mr. Vrouhas' attorney, which stated that your letter of September 18th, 1972, has been referred to me by Mr. Vrouhas. I have reviewed the situation which you refer to on Littleton Road in Chelmsford. It is my opinion that there is no violation of any of the health regulations or zoning by-laws of this community. The mere fact that individuals have registered to vote from the dwelling units in question does not demonstrate any violation. As you know, under the new regulations, a person is entitled to register to vote on the first day in the community. Mr. McHugh has turned this matter over to Town Counsel for legal action.

Bldg. Insp. letter state no violation at property of Chas. Vrouhas at Littleton Rd

On a motion by Mr. Humphrey, seconded by Mr. Markham, it was unanimously voted to grant a request by the Board of Registrars to hold three evening sessions during the last three weeks prior to February 13th, which is the last day to register before the annual election. The sessions will be held Monday, January 29th, 1973, from 7:00 to 8:30 P.M., Saturday February 10th, 1973 6:00 to 8:00 P.M. and Tuesday, February 13th, 1973, 12:00 Noon to 10:00 P.M. at the Town Clerk's Office

Three evenings: 1/29/73 2/10/73 & 2/13/73 for voters to register to vote.

Mr. Lannan read a communication from the Building Inspector, regarding North Chelmsford Auto Parts on Sleeper Street. Mr. McHugh has talked to the owners and they did have the back end of the trailer protruding beyond the fence by approximately

Discussion regarding status of property at North Chelms Auto Parts

30 inches. The trailer is now frozen in the ground, but they would take care of this situation when the weather permitted. They also said that they would raise the old building that faces Tyngsboro Road. Mr. Markham stated that the rubbish truck is protruding out more than 30 inches from Tyngsboro Road. Mr. Markham stated that we should try to come to grips with the parcel of property. One cannot enter that property from Sleeper Street. Mr. Lannan stated that the Assessor's show entrances from both Sleeper Street and Butterfield Street. Mr. Markham stated that Sleeper Street is not the normal entrance way, the entrance way is Butterfield Street. If the fence is supposed to cover the front of the property it is not being done. Mr. Markham agreed to investigate this matter with the Building Inspector. He stated that we are issuing a license for a certain address and he was not sure that it was the right address. Mr. Humphrey stated that we have an agreement in our files stipulating where the fence should be. The intent was to hide the objectionable looks at the time. Now things have gotten out of hand and if you read the agreement and it seems that they are not following the intent, and he is not living up to it, we can take the license away from them and see what he does to that. The agreement might even mention the length of the fence. The Board agreed to study the agreement to see if the fence meets the requirements. They also agreed to determine the correct address.

Report regarding the location of Toure F. Larson, of 9 Butterfield Street

Mr. Lannan read a letter from the Building Inspector regarding Toure F. Larson, 9 Butterfield Street which stated in reference to letter dated January 10th, 1973, he investigated the location at 9 Butterfield Street and after consulting the Zoning Map for the Town of Chelmsford, report the following: The imaginery line between the C.B. District and the I.B. District for said license is difficult to determine. Mr. McHugh recommended that Mr. Larson present to the Building Inspector a record, drawn by a regular engineer, depicting the imaginary line in reference to his building. A license would be permitted in a C.B. District but not in an I.B. District. Mr. Markham stated that he thbught the Town should prove that line. He didn't think a citizen should have to do this. If Mr. McHugh doesn't know exactly where that line is, how could he previously report that it wasn't in the right district. Mr. Humphrey stated that a C.B. would be a permitted use for Class II license. Mr. Markham requested that the Town establish this line. The Board agreed to send a letter to the Building Inspector requesting that he determine the zoning district change from C.B. to I.B. in the Butterfield Street area. They also agreed to send a letter to Mr. Larson informing him that they have received his application for a Class II license and were awaiting the Building Inspector report.

Request of waiver to delay opening of kindergartens until Sept.1 1974.

Mr. Lannan read a copy of a letter to Mr. Thomas A. Piggott, Legislative Counsel, Mass. League of Cities and Towns from Thomas L.Rivard, Superintendent of Schools. It stated that the Chelmsford School Committee has requested a waiver to delay the opening of its kindergarten program until September 1, 1974, because of the critical shortage of classroom space that presently exists and will exist until the new high school now under construction is opened on September 1, 1974. He also stated other pertinent information in this letter. Mr. Rivard also stated that this was the information submitted by the School Committee to the State Board of Education in its request for the kindergarten waiver.

Disolving of Data Processing Committee.

The Selectmen received a letter from the Chelmsford Data Processing Committee in which they stated that they voted to recommend to the Selectmen that this Committee has fulfilled its goals and should now be dissolved. On a motion by Mr. Humphrey, seconded by Mr. Markham, it was voted unanimously to dissolve the Data Processing Committee. Mr. Humphrey requested that a letter be sent to each member thanking them for their services.

New Business

Mr. Lannan stated that he met with the County Engineer's to define the boundary line between Chelmsford and Westford. It appears that the line is 50 feet deeper into Chelmsford than it should be. The road has never been defined. There are road markers there but they are quite a bit off. The County Engineers have requested maps from Chelmsford to study. Five to Seven families who now think they live in Chelmsford may find they actually live in Westford. Legislative action could move this line so that the people may remain in Chelmsford. When information is received from the County Engineers establishing where the line is, we will forward this letter to the Assessor s to see what homes are involved.

Mr. Humphrey asked that a flood light be installed at the McFarlin School property for skating., on the existing pole. He noted that the skating was being used and requested that it be flooded again when the weather permitted. The Board agreed.

Mr. Markham told the Board that he, along with Mrs. Haines Adm. Assist., attended the tour of the Middlesex County Training School with the County Commissioners. The two new County Commissioners were present. He stated that he also had the opportunity to discuss the proposal for the Special Educational Facility by the present superintendent James F. McMahon. He stated that he made known his own thoughts but would report back to the Board and ask their feelings on the Training School uses. As we know, the Commissioners have already taken a vote to phase out the existing program and they are seeking proposals for the use of the facility. After touring the facility, my feelings are that we should at least send a letter to the Commissioners indicating that mainly because of the fact that it is in this Town, that we want to discuss specific uses of the facility with them. I suggest that we support the proposal by Supt. McMahon and if that proposal is not accepted, I could see many uses of that facility. I would like to see a different type of program come into the facility because they are all separate buildings. There are six or seven buildings that could be used for different purposes. They are all in good condition except the one that has been destroyed by fire. We need Town Hall space. The school administration is using town space. We need a civic center, Town Hall, youth center, a place for senior citizens and also kindergarten space. They do have classroom space and buildings. Also, I could see our Housing Authority possibly looking into some of the facility for expansion of their programs for senior citizens housing. Mr. Lannan stated that he agreed that the Town should take some definite action for the use of the M.C.T.S. building. I

(Continued) New Business.

would also be in favor of endorsing the proposal submitted by the present Superintendent. Mr. Markham stated that he would ask that we request a meeting with the C.C. for the purpose of possible uses by this Town. I think we would have to meet with several departments and agencies in this Town to develop a plan. The Commissioners are having a meeting this Wednesday and it would be to our benefit if a member of this Board could attend. If not, we could have this letter down there for this meeting. They have also indicated that they would attend one of our meetings to discuss specific uses of the facility. Mr. Humphrey stated that he didn't know how the Board could endorse a proposal that we don't have before us. Mr. Markham stated that it is an innovative type educational program for certain types of educationally handicapped children, not a program for students from the courts. They would be servicing the communities in the area. Mr. Humphrey stated that he would endorse the intent for a school for the handicapped subject to receipt of a proposal. He had read in the paper that it would be a school for the handicapped. I hope that this would not be an attempt to keep people in their jobs or to hold positions. Certainly the last action will result with the Commissioner's decisions. This Board has endorsed the use of one of the buildings for SHARE. That should be pointed out to the Commissioner, I feel as far as the other buildings are concerned, the intent is good. I do know that any of the buildings that might be used by the Town will require many dollars to put them into condition. There is a central heating system for all of the buildings. It will take a great deal of study in order to make a determination that the buildings are practical to use for many things; housing, etc. Mr. Humphrey asked that the letter be sent to the Commissioner showing interest, the intent, and reaffirm our position as far as the SHARE proposal is concerned and make them the number one priority. Mr. Markham stated to endorse the concept. He also stated that we have got to keep in mind that when we endorsed SHARE at the Training School property, Mr. McMahon stated that SHARE would not interfere with his program. Since our meeting when we unanimously endorsed SHARE, many things have changed. The County Commissioner had voted to phase out the school. I think that before any particular program goes in there, the Town should have an idea of the total use of the facility. Some of these things that I have suggested might not be the kind of programs you would want to have on the same grounds as Anabasis House. The Board agreed to send a letter by courier to the County Commissioner. Mr. Humphrey requested that the letter reaffirm our stand on SHARE. Mr. Humphrey moved to reaffirm our stand on SHARE to the County Commissioners for endorsing this program. Mr. Markham asked that this motion include if the use for SHARE did not interfere with future uses of the facility. Mr. Humphrey stated that he would not want to include anything like that in the motion, anything that would intereferc with that program. Mr. Markham stated that too many things have changed since that time. Mr. Lannan seconded the motion. Mr. Markham opposed. Mr. Markham stated that he still endorsed the concept of SHARE but the last time we agreed to endorse the move, the training school was going to remain. I would like to see a total plan for the buildings because the buildings are rather close together and before we would intermingle some of these programs, I think Anabasis is a rather unique facility and it should not be integrated with other Town uses. Mr. Lannan

(Continued)

New Business

stated that he felt that the M.C.T.S. was going to be phased out. Mr. Markham moved that we prepare a letter to the County Commissioner first indicating that we support the concept of the proposal for the use of the facility as a continued education facility and also the intent of the letter would indicate to the Board of County Commissioners that the Board of Selectmen of Chelmsford have an interest in the facility and would certainly request that a meeting be held prior to the making of a final decision on the use of the facility. Mr. Humphrey stated that the motion should be clarified to include some other Town use. Mr. Humphrey seconded the motion. The motion was so voted.

Mr. Lannan stated that a meeting was held with the Recreation Commission and P.A.R.C. and as a result of the meeting, the Recreation Commission has provided for a fence around the area that should be utilized by the P.A.R.C. This article could be turned down or reduced in dollars so that they would not be able to provide the fence. The Recreation Commission has added $2,000. to their budget as an outlay with the stipulation that the $2,000. would be used if their article was not passed. They would still have the $2,000. to put the fence up. The Finance Committee were in agreement, that they would accept the $2,000. outlay if the article was turned down.

Mr. Humphrey asked for the record if the Selectmen's office had received a petition from the H.R.A.C., asking them to protest the redistricting for the representative. Mr. Lannan stated that the Board had not received any such petition. Mr. Humphrey stated that this information was in the newspaper.

Mr. Humphrey referred to a news editorial in the Newsweekly. He stated that as far as he was concerned as a member of this Board, the action that wasn't taken in passing out to the press the copies as requested is not to be construed at least by him, as suppressing news. He stated that he fully realized that the press reporters had deadlines to meet to get the stories to the people. He told Mrs. Kieree that her copy came from him. If I felt other than what was implied, I certainly would not have given you my copy. This Board, in my opinion, above any other Board in the greater Lowell area is perhaps the most open in relation with the press. We have not called executive sessions where the press was excluded. I think that goes a long way toward defining the statement that I am making now. We are an open Board and we do not make any attempt to suppress the news. Name any other Board who asks the press if they have any questions at the end of the meetings.

Mr. Markham stated that he had made a motion to give copies to the press that died for lack of a second. He stated that we have a valid meeting here tonight and in order to eliminate the problems in the future, I would now move that documents that are read and properly announced at our meetings be given to each member of the press. Mr. Humphrey seconded the motion. Mr. Lannan stated that he thought the motion was out of order at the time. He would not accept the motion. Mr. Markham moved to challenge the chair. Mr. Humphrey stated that he would not second that motion. Mr. Lannan stated that he felt that there were other members not present who made the statements.

(Continued)
New Business

In answer to Mr. House of the Sentinel, question regarding the eliminating of the A.B.C.C. and liquor licenses being left solely up to the Town, Mr. Markham stated that from what he had read, he didn't think that the A.B.C.C. was going to be abolished, there would just be a Board of Commissioners. He also stated that they fall under Home Rule Legislation and some of these things would have to be changed by legislation not just by reorganization. This will be a long time in coming, after several pieces of legislature have been enacted. From what I have read, I feel that there will be some state involvement. They will not be completely limited. Mr. Lannan stated that the city of Boston is separate now. It doesn't fall under the A.B.C.C. He also asked what paper this report was in. Mr. House reported that it was in Tuesday or Wednesday Lawrence Eagle Tribune. Mr. Humphrey stated that he didn't think it was a wise move. I think that it requires an act of legislation, it is not only a reorganization, I don't think the authorities should do this without the so called A.B.C.C. They serve to assure fairness to all concerned by their approval action. I think it is a necessity. I think to solely place the licensing authority on a city or town is a step backwards.

On a motion by Mr. Humphrey, seconded by Mr. Markham, it was unanimously voted to adjourn the meeting at 10:00 P.M. Thus the meeting adjourned at 10:00 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen, held January 22nd, 1973, commencing at 7:30 P.M.

Members Present.

Members present were: Mr. Lannan, Chairman, Mr. Humphrey, and Mr. Markham. Mr. Hart was absent due to illness. Mr. Doody arrived at the meeting at 8:20 P.M. Mr. Lannan presided.

Members of the Press present

Members of the press present at the meeting:
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Crime Prevention Wk. 2/11/73 to 2/17/73

Mr. George Hedrick, Chairman for Crime Prevention Week, Chelmsford Exchange Club, met with the Selectmen. Mr. Humphrey stated that he would like to highly endorse the motion to proclaim February 11th through February 17th, 1973 "National Crime Prevention Week" and as it says "I was robbed." Mr Markham seconded the motion. A unanimous voted followed.

Send letter of condolence to Lyndon Johnson family & to dedicate page in minute book.

On a motion by Mr. Markham, seconded by Mr. Humphrey, it was unanimously voted to send a letter of condolence to the family of Lyndon B. Johnson. Mr. Markham stated that it is a very sad event for he is the last of the ex-presidents. On a motion by Mr. Markham, seconded by Mr. Humphrey, it was unanimously voted to dedicate a page in the minutes of this meeting. The flags will also be at half mast for a thirty day period. Mr. Humphrey stated that he was a great president and he carried on many of the programs started by the Kennedy's and it has been unfortunate that these programs have not gone to attrition. He contributed greatly to the progress of the country.

Mr. Lannan announced that the pick-up of paper for recycling will be held next week, the week of January 28th, 1973.

Paper pick-up wk of 1/28/73

The Board agreed to meet with the residents of North Chelmsford concerning the relocating of SHARE to the M.C.T.S. This meeting will be held January 29th, 1973.

Meet with M.C.T.S. on 1/29/73

Mr. Lannan read a letter from Edward Quinn, stating persons available to serve on a committee to select colors for our Town Seal. On a motion by Mr. Humphrey, seconded by Mr. Markham, it was unanimously voted to appoint Mr. Leo Panas, 330 Old Westford Road, Mr. Wilfred Davidson, 6 Tarrington Lane, Nabnasset, Mrs. Barbara Nowacki, 3 South Row Street, Richard Lahue, 22 Northern Street, and Mr. Edward Quinn, 47 Brick Kiln Road to serve on this committee.

Forming of a committee to Select Colors for our Town Seal.

Mr. Lannan read a communication from the Home Rule Advisory Committee regarding redistricting. Mr. Humphrey stated he thought the Town waited a sufficient length of time to get its own representative. Divide it in half or divide it into three representative areas. I am not quite sure what they have in mind for the second proposal. Two districts with two representatives, 16,000 vote area coverage. I am not sure what they are implying. I would rather still be represented by two people from Chelmsford. I don't think it would be to the Town's advantage for people from the East or North being represented by Lowell people. We should register protests to Rep. Freeman and MacKenzie. Mr. Humphrey moved to send a letter to Rep. George Keverian and make this known. Mr. Markham seconded this motion. He also stated we should go a little bit further than that. If they are implying that we have two districts in Town and two representatives from the Town. We have waited a great number of years to have our own representative. Numerically speaking, we probably will be moved in some fashion. I think we should address ourselves to the possibility of remaining as a single district as a whole town. Number one alternative, two districts, certainly makes a good approach for this Town for it would be structured that they would more than likely be residents of this Town. It would be better if we could have two representatives rather than one in the General Court. Mr. Lannan agreed that we should be entitled to two representatives. Lowell has five now and if the representatives were based on this 23,000 figure, they will have to have over 100,000. Mr. Markham stated that we realize that it has been somewhat addressed here tonight, the situation that is going to take place at the legislature. The letter should not address itself to the problems of Lowell, but to the fact that we have a single district. One choice: split the Town in such a way with the 32,000 population. Mr. Humphrey stated that he certainly would not want to demean the present Lowell representatives. He thought they were very capable people but he still felt the North and East would be lost in such a move. I am not sure there is a great deal of disinterest by our present

Letter from Home Rule Advisory Committee regarding redistricting of Town.

representative, due to the fact that the areas in question are heavily democratic. I would hope that this is not the reason. Mr. Markham requested that a copy of the letter be sent to both the Speaker of the House and President of the Senate and have this letter signed by the members of the Board.

So.Chelms. Village Imp. Assoc. support article for sidewalks on Acton Rd.

The Selectmen received a letter from the South Chelmsford Village Improvement Association supporting the article for sidewalks on Acton Road and also requesting that better lighting facilities be installed in this area

Drains for Perham St.

Mr. Lannan read a letter from Mr. Robert Coates, 18 Perham Street requesting storm drains for that street. The Board agreed to send this request to the Highway Department.

Request of New Eng. Power Co. request easement that exists on North Side of Byam School be extended to have new power lines erected.

Mr. Lannan read a letter from Mr. James A. Sullivan, Chairman of the School Building Committee in which he stated that he was contacted by Mr. Carl Mosely, Right of Way Agent for the New England Power Company, requesting that the easement that already exists on the North side of the Byam School property be extended into the property by 100 feet to facilitate the erection of new power lines. Mr. Sullivan also stated that the committee will inspect the site and make its findings known to the Selectmen. It would appear however, that permission would finally have to come from Town Meeting. We wait to be advised as to whom should submit the warrant article. Mr. Lannan asked if the Byam School was still in the hands of the School Building Committee. He asked that Mr. Sullivan be informed that the Board will wait for his findings and if Town Meeting action is required based on his recommendations, we would have an article prepared for Town Meeting action.

No increases in salary until Phase III becomes effective.

Mr. Lannan read a letter from Mr. Blackadar, Town Accountant in reply to a letter dated January 18th, 1973, which advised that the I.R.S. is no longer involved in price stabilization. A verbal opinion has been received from the Bureau of Accounts that the salaries of the Chiefs are increased by statute and the Town is bound to pay them subject to Chapter 41, Section 13 of the General Laws, which sets the amounts which may be incurred prior to town meeting. The Town may legally vote all four increases retroactive to January 11, 1973, when Phase III becomes effective, but no increases can be granted at this time.

Personnel Bd. request use of Town Counsel re: salaries of clerks.

Mr. Lannan read a letter from Mr. Peter J. McHugh, Sr., of the Personnel Board in regard to copies of letters he received from the Town Accountant.; one pertaining to the salary increases for the Chiefs of the Fire and Police Departments, and the other regarding the Board of Health salaries of clerk, physicians and other agents and assistants. Mr. McHugh requested the use of the Town Counsel. On a motion by Mr. Humphrey seconded by Mr. Markham, it was unanimously voted to grant Mr. McHugh permission to contact Town Counsel regarding the action taken by the Board of Health. Mr. Humphrey stated that this is a situation where precedent is being set. It is unfair to other clerks who are now starting at a junior level. They are establishing a precedent that may be detrimental to the Personnel Boards practices.

Resignation of Robert Finnie from Bd. of Health.

Mr. Lannan read a letter of resignation from Robert Finnie of the Board of Health, to be effective January 22nd, 1973. The Board agreed to send a letter to Mr. Finnie thanking him for his services. Mr. Humphrey stated that he has done a commendable job and it is Chelmsford's loss that he is leaving. Mr. Finnie is moving out of Town.

Bd. of Appeal use Town Counsel.

The Board agreed to grant permission to the Board of Appeals to contact Town Counsel when the case of Serge vs. Loiselle was reopened.

Discussion regarding the Schoolhouse at Forefathers Cemetery.

Mr. Lannan read a letter from the Chelmsford Historical Commission requesting that the responsibility for the 1802 Schoolhouse located in the northeast corner of the Forefathers Burying Ground be transferred to the Historical Commission when other provisions can be made for storage of Park Department e quipment. Mr. Markham stated that it was his understanding that this had something to do with George Parkhurst, concerning the 1975-76 Town Celebration. I think they have other uses than what they intended for it in the past. If there are not other suggestions, it might well be used for the purposes of an office for the Bi-Centennial Celebration. As far as the restoring of it, Nashoba has a restoring department. With little money from the Town and sufficient lead time, the students could assist in this restoration. I would suggest that we find a suitable location for the Park Department. Mr. Lannan stated that in the past, they did not have the funds to restore this. I would just like to know where we are going to put the Park Department equipment. There is a foundation the back of the Town Hall but we were never able to get funds for this. Would it be possible to get Nashoba to do this? Mr. Humphrey did not want to transfer this property if they did not find suitable storage space for the Park Department. When the Historical Society moved to the Byam property, for a good many years, it was in a very bad state of repair. No effort was made to keep it up. Mr. Gray has done a good job with this property. It would be with great reluctance that I would take that away from the Park Department without their consent. Not for the convenience of this particular event. I would suggest that before and such request be made, have them sit with the Park Department before they make any further requests to this Board. Mr. Markham stated that in the interest of arriving at a sensible conclusion and also knowing of the lead time which might be necessary if the building were to be restored, if the Board would agree, I would attempt to work with the parties to find suitable arrangements for the Park Department and then come back to the Board. Mr. Humphrey stated that he would strongly request that there be communication between the Park Department and Historical Commission and our letter to them should expound on that thought. Mr. Markham stated that he would give a date when the groups would meet with him.

Mr. Lannan read a request from the Highway Department asking for an ordinance prohibiting pumping of water onto the streets. The Board agreed to have a by-law drafted to this effect.

Mr. Lannan read a letter from Dr. Albert Willis, 15 Crosby Lane, stating that the attached copy of a letter sent to the Bldg. Insp. is self-explanatory. He requested the Selectmen's cooperation in seeing that this matter is given appropriate attention. The Town Zoning Laws, in his opinion, are of no value if this is the way that they are enforced. Dr. Willis had written to the Bldg. Insp. on Jan. 14, 1973, concerning the Greenwood Disposal Company located at 14 Crosby Lane. Mr. Greenwood parked his trucks in his driveway and on the public street adjacent to Dr. Willis' land, performed minor repairs on them, and ran the heavy trucks yp and down Crosby Lane, which is a narrow street, all hours of the day and night, from as early as 4 A.M. to as late as midnight. Dr. Willis contacted the Bldg. Insp. in June, 1971, and again in Sept., 1971. Late in August of 1972, Dr. Willis talked personally to Mr. Greenwood. Mr. Greenwood agreed the trucks and the noise were a nuisance and he informed me that he was building a garage on Oak St. and that the trucks would soon be out of there completely. In his letter to the Bldg. Insp. dated Jan. 14, 1973, Dr. Willis stated that if he did not see results from the appeal to you in a reasonable time, he would be prepared to take legal action to see that the Zoning Laws of the town are enforced. Mr. Lannan stated that the cover letter is addressed to us explaining to us what has been going on, the letter was sent by Dr. Willis to the Bldg. Insp. The Board agreed to have the Bldg. Insp. contact Greenwood no later than this week and report back to this Board.

Changes in Chapters 81 and 90 programs.

Mr. Lannan read letters received from Bruce Campbell, Commissioner, of Department of Public Works. One letter was in regard to Probable Changes in Chapter 81 & 90 Programs. He stated that we are anticipating modifications in these programs based on the statement by Governor Sargent. At this time we cannot indicate the exact amounts the municipalities will recieve. Several new ideas about Chapter 90 are being considered at this time such as:

(1) The elimination of county participation in the funding of Chapter 90 Projects.

(2) Making the Massachusetts Department of Public Works "party of the first part" in all contracts for Chapter 90 Projects.

This Department will be in contact with you as soon as these matters are determined. However, if these new ideas are not adopted, and the Legislature appropriates the usual amounts, then all the municipalities will need to know at this time the tentative allotments, under Chapter 90 and Chapter 81, in order that this information may be available for the annual town meeting and city council meetings. The other letter from Commissioner Campbell gave the tentative allotments for 1973 so that you may have this information available for Town Meeting.

TENTATIVE ALLOTMENT

PROJECT	STATE	TOWN	COUNTY
Maintenance	$ 2,000	$ 2,000	$ 2,000
Acton Road	28,700	14,350	14,350

Will you please see that an attested copy of the Town Vote in this matter is forwarded to the District Highway Engineer as soon as action has been taken by the Town. Mr. Humphrey stated that he assumed that the articles would be prepared with these figures. The completion of Acton Road is contingent on these funds.

Letter from So.Chelms. Rod & Gun Club requesting license for every Friday & Saturday nite

Mr. Lannan read a letter from the South Chelmsford Gun and Rod Club Inc., requesting a license for each Friday and Saturday until further notice. Mr. Lannan stated that we do not give "carte blanche" licenses, just licenses for the particular day. We should issue this license when the need comes. Mr. Humphrey stated that he would strongly deny this request and the reason being it would be tantamount to issuing a license that would be proper. From time to time, the Board of Selectmen may grant one day licenses. We have been most generous in the past issuing licenses to the Rod and Gun Club and others. We take each one by its own merit and act on it. I move that this request be denied. Mr. Markham seconded the motion. He also asked if they had a date when they wanted this initiated. I would agree that issuing a license based on that kind of request would be giving them a license from now until further notice. I do think that they have some valid plans for the organization and I would like them to correspond back to the Board. If they are asking for this kind of a request, since it is in a residential area, the citizens should have an opportunity to be heard if the programs are going to be held on a regular basis. Mr. Humphrey stated that he would strongly deny the application that is presented to us. It would be tantamount to granting a liquor license to an establishment that cannot have a license. We are granting a license when it is requested. The people in that area are against this. Not only the present use, but also the use of other things being sold on the premises other than beer and wine. Mr. Lannan agreed. Mr. Humphrey stated that if they wanted to come before the Board to discuss each request, they can do that. Mr. Markham stated that he was not suggesting that we invite them in, I would not like to see them sending in individual requests. If they have a plan which would take every Friday and Saturday evening, I think the residents should be aware of this. Mr. Humphrey stated that he would vote negative to every application if that was their intention every week.

Mr. Lannan stated that Mrs. Haines, Town Counsel and I have gone over all the articles for the 1973 Warrant.

Request from Planning Bd. requesting as article for rezoning land northerly of Groto Road.

The Selectmen received a request from the Planning Board to insert an article in the Warrant to rezone land located northerly of Groton Road from the present single residence RB zoning to General Residence, RC zoning. Mr. Humphrey stated that he would cast a no vote of accepting this article. Mr. Markham asked if this was the property that abutts the land fill. Mr. Humphrey stated that we have had Town Meeting action on that several times for apartments on Groton Road beyond Swain Road. Mr. Markham stated that he was not completely aware of whether the Planning Board just received it. If this request came in early, I would agree to have Town Counsel prepare an article for the Warrant. Mr. Humphrey stated that this is no excuse, they have the same obligations as other departments to get these articles in. I can't imagine the Planning Board letting it lay with them for 20 days. Whatever excuse the Planning Board has, I could not accept.

New Business

Mr. Markham asked if we had an article for the South Chelmsford Rod and Gun Club for land to be used for a swimming club. Mr. Humphrey stated that it was by petition, and we also had Town

Counsel give an opinion as to whether such a transaction is allowed under the terms of the property.

In answer to a question from the Newsweekly reporter about the pizza operation in the Marshall's area, Mr. Lannan stated that Town Counsel and the Building Inspector have been asked to look into it. They have not done anything at this particular time that is in violation. Mr. Humphrey stated that in his opinion, there is a violation. The fact that they have proceeded to alter the premises without a building permit is a violation. A Common Victualer's License is not required if there is no food served on the premises. Once food is served, there is a violation. A take-out place does not require a license. Mr. Humphrey stated that for what they are doing, they did not have to appear before this Board.

Mr. Humphrey asked Mr. Webster of the Lowell Sun about a statement he had printed and he had misquoted Mr. Humphrey. Mr. Humphrey stated that he had no need of using such language either here or anywhere else. This was in regard to a person doing a certain type of a job.

A resident, present at the meeting asked to speak before the Board. Mr. Lannan stated that it is the regular practice of the Board to schedule people to meet with the Board of Selectmen. Mr. Markham stated that he would be in favor of letting the man speak. Mr Humphrey agreed with Mr. Lannan.

(Continued)
New
Business

Mr. Humphrey made a motion to adjourn. The motion failed for lact of a second.

Mr. Markham stated that on the question that was asked concerning the Common Victualer's License for Zesty Pizza, I guess I find it somewhat interesting in view of the comments made last week that an opinion was obtained from Town Counsel based on the authority of three members of the Board and this opinion was presented to me last week. When a copy was provided, I had read it. I haven't had a chance to digest it yet, I think in the interest of what was presented last week, of having information made public. I think any requests for opinions should come up before the meeting also, and not come about in what I might refer to as a backroom approach. Mr. Lannan stated that this was brought up by a reporter. The opinion was obtained by asking Town Counsel. Three members of the Board said they wanted to get Town Counsel opinion. We wanted Town Counsel's opinion and this opinion was in the office. When the Board indicates that they have read this opinion, I will make it public. Mr. Markham stated that this opinion was not requested at a public meeting.

Mr. Doody asked that copies of the Capital Planning and Budgeting Committees final report which he has prepared, be sent to the members of this Committee for their review. On a motion by Mr. Doody, seconded by Mr. Humphrey, it was unanimously voted to send a letter to each member of the Committee stating that they did an outstanding job. This was done in a relatively short period of time.

Mr. Lannan stated that last week, when Mr. Doody was not present, a request was made by the news media for copies of documents that are read at this meeting. Mr. Markham moved to provide each member

(Continued)
New Business

of the press with a copy of all documents made public at a meeting without cost if they so requested. It was his feeling that providing copies to the members of the press present would be a mechanism to inform the townspeople of the transactions and discussions of this Board. Mr. Doody stated that he would second the motion to have copies available for the press who were present at the meetings. He stated that it was Mr. Humphreys motion that the press can ask questions of this Board at the end of the meetins. Mr. Humphrey stated that he would have seconded this motion if Mr. Doody hadn't. He wholeheartedly agreed to give copies to the press. Mr. Humphrey also stated that we do not hold executive sessions, there have been none, held in the last eight or ten years. This is a compliment because we are an open Board to the people who come here on Monday evenings to observe and to the press. They can question any action that we might take, no holes barred. As far as copies to the press, I do endorse this. We should make a facility available on the night of the meeting, not the next day. We must avail ourselves of the photostat machine so that the people can meet the deadlines. Mr. Lannan stated that the same people who were present when the original motion was made, are present tonight. Mr. Markham's motion was unanimously passed. Mr. Markham stated that before adjourning, Mr. Humphrey reminded him again about executive sessions. He stated that he, for one, recognized from time to time on public boards, that it was necessary to have so-called executive sessions to protect the individuals involved and if I found it necessary, I would never condem the holding of an executive session. I find it rather interesting, at least since I have been here, the board has never adjourned and gone into an executive session. In my opinion there have been several of these meetings held from time to time. I can recall back in September 14th, 1972, or their abouts, we had a meeting concerning the revocation of an individual from the Auxiliary Police. In my opinion, that meeting was necessary but it was at least what I would call an Executive Session of this Board. I recognize the need for such a meeting. I believe that concerning Personnel problems with the departments of the Town, we have had a need on different occasions. I think without involving any personalities in the appointment of our latest Administrative Assistant, it was my suggestion that we do not discuss the applicants. The Newsweekly article talks of the appointment of the Administarative Assistant behind closed doors. The Sentinel stated that fifteen minutes later, the Selectmen are in private conference to choose a new Administrative Assistant. I agree with these actions my only point is that I don't want to be a party to a Board that is saying that we are not having Executive Sessions when we are having them. I will certainly not condem them in the interest of conducting Town business, they are certainly necessary to protect some of the individuals involved. Mr. Lannan stated that I guess you are right. I met with Town Counsel and also that night we met with P.A.R.C. I was the only Selectmen there but I guess you could call them Executive Sessions. Mr. Humphrey stated that in all the years that he has served as a member of the Board of Selectmen, we hav not had an Executive Session. An Executive Session is that session when there is a vote to go into an Executive Session disbarring anyone. Much business is going on during the week, they are not Executive Sessions or some of the ones that you

(Continued)

New Business

are referring too. In regard to removing an individual from a Town body, I was not a part of that and it certainly will not be condoned. I would not have taken action on that. An Executive Session is a session that is duly called and there is a vote to go into an Executive Session from that meeting. I don't criticize Boards that do this. The records do not indicate that there has been an Executive Session. Mr. Markham stated in relation to the meeting that was held, that it was his understanding that the session was going to be held concerning the revocation of an appointment. Through this process, it has been brought to my attention, the members that were in attendence that evening agreed on a procedure to be followed and it was my understanding that the procedure was going to be carried out in such a way that the individual involved would have, if he so desired. Before a hearing, a communication should be received by this Board for a discussion by this Board. This would be going through the proper channels. Did we ever receive a communication. Mr. Lannan stated that we did receive a communication from the Police Department. Mr. Humphrey asked Mr. Markham if he would act on the revocation. Mr. Markham stated that he was not present, it was prior to September 14th, and I was in attendance at another meeting and the action had already been taken. The letter recommending revocation certainly was not detailed to warrant any immediate action. Mr. Humphrey stated that he could not answer in any respect as he was not a part in that particular action. Mr. Markham stated that he wasn't either, but I did not see that report in the files. In answer to Mr. Webster of the Lowell Sun, Mr. Humphrey stated they were not posted meetings, they were interviews, all the Selectmen did not attend those either. Mrs. Keirce asked if these "private" meetings have been only personnel. Mr. Lannan stated that there was a meeting regarding the Courier Citizen and also that during the day people have telephoned for an answer. Mr Humphrey stated that Mrs. Haines calls to get a majority vote. Mrs. Kierve stated that we are talking about a very fine point. Mr. Humphrey stated that we have never adjourned a posted meeting to an Executive Session. We are an open Board and it is not our intention to deprive the press regarding anything that requires a majority vote of the Board of Selectmen. Mr. Markham stated that Mr. Doody was involved in Executive Sessions on the School Committee. I don't get your point of trying to raise the flag over this, I think there is a need for Executive Sessions. Mr. Humphrey stated that he was very proud to say that the Board has acted this way. I think that this is a fruit of ill omen that perhaps at some time the Board will go into Executive Sessions. I hope you do not use that too loosely that you might be in favor of Executive Sessions. I am somewhat proud of the actions I have taken on the Board in the past and present. The press has never been deprived of information. I strongly defend that being not so. I do clude to other towns going into Executive Sessions. As far as personnel, that may or may not have been necessary. I can say it openly and publicly. In answer to Mr. House of the Sentinel, Mr. Humphrey stated that the minutes of the meetings are available to the press. It is certainly the intention that they be. All final decisions are in the minutes. An Executive Session is one where it is voted that they are going into an Executive Session and it is made known tothe public. If the Board decided to meet on a Saturday morning this would be posted as an Executive session. Mr. Markham stated that the original discussion or point is sort of being blown out

(Continued)
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of proportion to some extent. I couple of people have attempted to clarify Executive Sessions and I think again that we all recognize that meetings of an Executive Nature have been held at other times. I will not be an advocate of Executive Sessions. Mr. Humphrey stated that he thought the Board has been forewarned that Executive Sessions might be condoned in the future.

Meeting adjourned.

On a motion by Mr. Humphrey seconded by Mr. Doody, it was unanimously voted to adjourn the meeting. The meeting adjourned at 9:20 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Jurors Chosen

List of Jurors chosen by Mr. Paul C. Hart on January 26th, 1973

Lowell Superior Court: 1. James Harold Denike, 56 Chelmsford Trailer Park - 2 . James Coconis, 21 Donna Road
Cambridge Superior Court: 1. George Dabilis, 104 Locke Road
2. Frank H. Fiske, 31 Boston Road - 3. Frederick Avila, 8 Buckman Drive.

Regular Meeting of the Board of Selectmen held, January 29th, 1973, commencing at 7:30 P.M.

Members Present

Members present were: Mr. Lannan, Chairman, Mr. Doody, Mr. Hart, and Mr. Markham, Jr. Mr. Humphrey was not present due to illness. Mrs. Evelyn Haines was also present.

Members of the press present.

Members of the press present were:
Lowell Sun: Mr. Gus Webster
Chelmsford Sentinel: Mr. Jerry House
Chelmsford Newsweekly: Mrs. Ann Marie Kierce

Opinion of Town Counsel regarding taxes on real property of persons 65 and over.

Mr. Lannan read an opinion from Town Counsel regarding the taxes on real property of persons 65 years or older. It stated that said article was unconstitutional. The power to regulate taxes and exemptions is vested by the Constitution in the State Legislature. This is a non-delegatable power. However, since this article was petitioned for by more than ten registered voters, it must be included in the Warrant unless they agree to a dismissal. At the Town Meeting, the Town Counsel should be called upon for his opinion regarding the constitutionality of said article. Even if this article is passed, it will be invalidated by the Attorney General upon review. The Board agreed that Town Counsel's opinion should be made known to the people at Town Meeting and also the the Moderator.

Article reg: Police Mutual Aid Compact

Mr. Lannan read Town Cousel's opinion regarding the Police Mutual Aid Compact Article. His opinion stated that the proposed article is not in proper form as presented in such materials. Town Counsel also furnished an article that would be appropriate for Town Meeting. On a motion by Mr. Hart, seconded by Mr. Doody, it was unanimously voted to include this article as worded by Town Counsel in the 1973 Warrant.

Mr. Lannan read a copy of an opinion received from Town Counsel to Mr. John B. Flannery, regarding the article submitted by the V.F.W. requesting that the town vote funds to veterans

Article concerning funds for Veterans organizations

organizations for utilities and upkeep. Mr. McCarthy stated that it was his understanding of Chapter 40 Section 9 that the Town may vote funds to veterans organizations which funds are to be used for leasing suitable quarters. This article was submitted by petition, therefore, the Board agreed to include this article in the Warrant and also to inform the townspeople of Town Counsel's opinion.

Distribution of Charter to residents of town.

Mr. Lannan read Town Counsel's opinion regarding the Charter Commission. He stated that he shall include the question and summary relating to the proposed Charter on the 1973 Warrant. In accordance with Massachusetts General Laws, Chapter 43B, S 11, a copy of the ballot question and summary have this day been forwarded to the Town Clerk fulfilling the Statute's requirement of forwarding same within thirty-five days of the election. A copy of such letter is enclosed for your file. The only further requirements of the Board of Selectmen relating to the Charter are as follows: 1. The Selectmen shall cause the final report to be printed and a copy to be distributed to each residence of one or more registered voters; 2. Such distribution shall occur not later than two weeks before the election; 3. Additional copies of such final report shall be filed with the Town Clerk for distribution to registered voters requesting the same, and one copy shall be posted in the office of the Town Clerk. Mr. Lannan stated that we should ask the Chairman of the Charter Commission to make known to this Board when the final copy has been printed and gone out for distribution to the Town.

Letter from Mr. S.Lester Ralph, Chair- of Middlesex County Commission reg: Anabasis House.

Mr. Lannan read a letter from Mr. S. Lester Ralph, Chairman of Middlesex County Commission, thanking the Selectmen for their letter of January 16th, 1973 with reference to the relocation of Anabasis House to the Middlesex County Training School in Chelmsford. He stated that he appreciated their interest and concern, and that the Commissioners would do everything within their power to make the right decision in this regard. They hoped to make the decision within the next few days. Mr. Lannan stated that he understood that the decision has been made even though we have not received an official communication to that effect.

Byam School site area reg: expansion of Electric Co. easement.

Mr. Lannan read a letter from Mr. James A. Sullivan, School Building Committee stating that he had investigated the Byam School site and the area effected by expansion of the Electric Company easement. It was felt that the granting of this expansion would not interfere in any way with the Byam School. It was voted that this matter be turned back to the Selectmen for their study since certain alternatives were presented to the Committee by the Electric Company and acceptance of these could relate to other problems that exist in the area of the school. He asked to meet with the Selectmen since it would only take a few words to explain thdse alternatives and many pages to explain this. The Board agreed to meet with Mr. Sullivan and the New England Power representatives to discuss these alternatives.

Bd.ofAppeals contact Town Counsel reg: Nat Sergi case.

The Selectmen agreed to grant permission to the Board of Appeals to contact Town Counsel regarding the legality of the vote of the Board of Appeals that was recently given on the Nat Sergi case. The vote was four to one with one abstaining.

The Board of Selectmen agreed to send a copy of a letter received from Mr. Donald Faulkenham, 235 Boston Road, in regard to a water problem on his property to the Highway Superintendent and ask that he survey the area and report his findings and recommendations to the Board.

Water problem at 235 Boston Rd. Referred to Highway Supt.

Mr. Lannan read a letter from Town Counsel regarding Capitolina Dias Avila. The letter read:"Enclosed please find copy of execution issued by the Middlesex Superior Court in the above entitled matter, which involved a land taking on Graniteville Road for school purposes. The jury awarded damages in the amount of $116,000.00. From this was subtracted $52,300.00, the amount of the pro tanto payment to Mrs. Avila. To the $63,700.00 the court added interest from the date of the taking in January 1969 to date of $15,209.79 and reimbursed Mrs. Avila for the eleven month taxes that she paid in 1969, when she did not own the real estate. This amounted to $473.75. The total of these three figures, namely $63,700.00, $473.75 and $15,209.79 totals $79,383.54. To this figure the court added costs of $29.95 making the total amount of the execution $79,412.79. Mr. McCarthy also stated if funds are available, check should be issued to John F. Donohoe, Attorney for Capitolina Dias Avila in the amount of $79,412.79. Mr. Lannan stated that Mr. Blackadar informed him that funds would have to be appropriated at Town Meeting from the Settlement of Suits and Claims Account.

Town Counsel letter reg: land taking of Avila property. Damages awarded.

Mr. Lannan read a request from the people in Central Square requesting that the parking regulations be changed from one hour to one half hour. Mr. Doody asked why we had one set of rules on one side and one on the other side. We eliminated 5 or 6 parking spaces when we eliminated angle parking. We should check this with the Dept. of Public Works. On a motion by Mr. Hart, seconded by Mr. Markham, it was voted unanimously to proceed with the requirements for the changing of the parking regulations in Central Square providing it meets with the Police Department.

Change parking regulations in Central Sq.

The Board agreed to meet with Mrs. Elizabeth Marshall, Secretary of the Chelmsford Scholarship Fund to designate March, Town of Chelmsford Scholarship Month.

March, Town of Chelms. Scholarship Month.

Mr. Lannan read a letter from Paul D. Tudor, Norcross & Leighton, Inc. stating that they could arrange to have a representative of the Kemper Insurance Group Safety Department meet with the Selectmen and discuss ways in which various types of sagety programs could be initiated to reduce the number of accidents suffered by Town employees. Mr. Hart stated that he thought the Workmen's Compensation was about due. Mr. Markham stated that it expires the first of February. Mr. Hart stated that he thought the insurance companies were going to lower our rate. We should send this out for bids and let all companies present this material to us. Mr. Doody agreed. Mr. Markham stated that he would agree if we can do something to increase the safety of the Town but we voted last year by this Board was to seek bids on most, if not all, insurance expecially this one here. We should contact the Insurance Advisory Committee to see if they have the specifications drawn for it and the companies can submit their proposals on this. This should be advertised immediately and come into this office or to the

Workmen's Comp. for Town employees.

Workmen"s Comp. (Continued)

Insurance Advisory Committee. Mr. Lannan asked that Mr Olson be contacted to draw up the bids and also contact the Insurance Advisory Committee informing them that we have received this from Norcross & Leighton and we would welcome any other companies. Almost a year ago, we asked the Fire Chief through the Fire Fighters Underwriters, to see about a reduction in the fire rates in the Town based on the new equipment and hydrants in the Town. We should also ask for a status report on this. Mr. Markham stated that the expiration date on Workman's Compensation is March 1st, 1973.

Discussion regarding the location of Anabasis House at Middlesex Training School

Mr. Lannan stated that this meeting is being held at the request of petitioners (18) from the North Road area to discuss Anabasis House relocating to the Middlesex County Training School. Mrs. Crowell is the first name on the list. Atty. Raymond F. McColough, 1 Treble Cove Road, North Billerica, Mass., stated that he represented the abutters and taxpayers who lived in close proximity of the training school. He stated that these people feel that the value of their property will be lowered because of the location of the SHARE facility at the training school. They feel very strongly that this facility will detract from their property and lower the value of their homes. They are asking the help of the Board of Selectmen to consider anything that could be done through the Board and the Town of Chelmsford to stop this move. I haven't had too much time to research this case and I don't know exactly what the zoning conditions are at the Training School. It is zoned as a residential area but the county is exempt from it. SHARE is a private corporation and they do not receive any favors under the zoning by-laws. While this particular project was in Lowell, there were many complaints. Now it is being pushed into their laps. They tried to move SHARE to Andover Street and there was strenuous objection. Now they have decided to move it out to Chelmsford. They sent a petition to the County Commissioners with more than 200 signatures on it from abutters in close proximity which has been ignored to date, so that is basically why the people are appearing before your Board tonight. They don't know where to turn other than your Board. Their petition has been ignored. The County Commissioners might give your Board some consideration. Perhaps the County Commissioners would listen to the Board of Selectmen rather than a group of individuals. Some of these people are present here if they want to say anything else. I would appreciate anything you have to say about this. Mr. Lannan stated that he would bring these present up to date. He read the minutes of the meeting held September 25th, 1972. It was proposed that Anabasis House be located at the Middlesex County Training School at Reed Cottage. Before the Selectmen considered taking any action on Reed Cottage, we asked that the people who were concerned come before the Board of Selectmen and the meeting was held here in the Town Hall. There were very few people here. As a result of the meeting held September 25th, 1972 the Board of Selectmen sent a communication to the County Commissioners on October 2nd, 1972. Mr. Lannan read the minutes of the meeting held October 2nd, 1972, regarding the SHARE proposal. He also read the letter to the new County Commissioners dated January 16, 1973, stating that the majority of the Board of Selectmen endorsed the SHARE proposal. Mr. Lannan stated that we received a letter from the County Commissioners dated January 24th, 1973 referring to the relocation of Anabasis House. Mr. Lannan stated that it was his understanding that the County Commissioners had approved the use of Reed Cottage for Anabasis

House. The Middlesex County Police has petitioned to use one of the buildings and we have petitioned the county to see if any of the buildings could be used for Town purposes. One abutter stated that it was interesting to hear of the meeting held September 25th, 1972 because no abutters were notified that this meeting was to be held. He asked that when there is a zoning change, wasn't it necessary to notify the abutters in writing. He stated that he was one of the largest abutters with approximately 1,000 feet located near the Training School. Mr. Lannan stated that there was no zoning change here, if it had been a change in zoning or a different type of facility, the abutters would have to be notified by law. It was announced in the local news media that this meeting was going to be held. An abutter asked Mr. Lannan if he felt that he did the right thing by not having the people who live near the training school come and make their feelings known. Mr. Lannan stated that people usually make their feelings known by calling him. We received only one letter from Mr. Raymond Leavitt, 100 Corey Street, Lowell, Mass. Mrs. Crowell stated that they sent a petition with 200 names on it to Governor Sargent and the County Commissioners over two months ago. We got an answer on Saturday, January 27th, 1973 which was written Wednesday, January 24th, 1973, stating that they would be making a decision on the SHARE proposal within the next few days. It was in the paper Wednesday night that they have given it to SHARE. Mr. Lannan stated that we haven't received official notice yet from the County Commissioners. Mrs. Crowell asked how many "drug addicts" do they feel will be in that building. Miss Marsha Mason, Director of Anabasis House stated that there is a maximum of 40 residents, usually around 300 residents. Mrs. Crowell stated that "we are here in objection not to listen for it." Mr. McColough stated that we realized that this meeting was held some time ago and we realize that the abutters did not show up at that time and also that there was publicity in the newspapers about this meeting. It is not your fault that no one showed up as you are not required to send out notices, but these things have a way of going until actually they are in there. They realize you have already had your meeting and you have voted on it. They want you to reconsider your vote; listen to their arguments and my arguments. It is hard to change your mind when no one showed up at the original meeting. Mr. Lannan stated that Mr. Hart called to his attention that when Anabasis House was considered for the Grossman's property, there was not notice to the residents but a constant stream of protests were received by the Board and we asked to meet with the people from SHARE and the Board of Selectmen were against this. A lot of people were at that meeting. Mr. Hart stated that it was not a difficult position. When we did have this come before us regarding the Grossman property, we did have a feeling of what the people thought. We are aware of the people and the young people's needs and this was publicized. We listened to everyBody who attended our meeting and what was in the best interest of the young people and what would be best for the Town of Chelmsford. There were no objections. If we had this many people there as we have now, we would have done the same thing that we did with the Grossman property. We consider the needs of the young people of Chelmsford and all the people in the area. We had no objections whatsoever at our meeting for Anabasis House. Mr. McColough stated that these people are here to see if

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Discussion
regarding the
Anabasis
House at the
Middlesex
Training
School

(Continued)
Discussion regarding Anabasis House at the Middlesex Training School

they can get some help from your Board. Mr. Lannan stated that if they want the help from our Board that is what we are here for. We can arrange to have a meeting with the County Commissioners, the people from SHARE and with the people from the area. Mrs. Crowell did not want this meeting. One person stated that Anabasis House was not proposed for the Crossman property by Altermode which was not for drug addicts but to prevent drug use. They had classes in leathercrafts, glass, etc. This was for junior high and high school age children. The people around Crossmans put up a real fuss. Also, this building was not heated and could not be used in the winter. She praised the people from SHARE. Mrs. Crowell asked Mr. Lannan who had the final say. Mr. Lannan stated that the County Commissioners had the final say. Rev. Charles Witt, pastor of the West Chelmsford Methodist Church, told the Board that he spoke as a private citizen not as a pastor of his church. He said he promised his little boy that he would take him someplace when he had heard of this meeting, he took him here. He stated that what we are talking about are our children, some have become drug addicts. I am very happy with the knowledge that you have approached this and I would like to comment on what your Board has done and give you my own personal support. We have to care for our children. Mrs. Crowell stated that SHARE was opposed when they tried to move it to Andover Street in Lowell and also in Pepperell. They didn't try to keep it in Lowell. I don't think we have to take it. She also stated that the county thought it was too expensive to have 240 boys at the Training School but now they would use Reed Cottage for 20 to 25 people. She also asked how many of the residents were going to be from Chelmsford. She stated that they were also asking for $20,000. to put a kitchen in. I think they can find a place in Lowell. Mr. Lannan stated that Chelmsford appropriates $18,000. per year and we get the children taken care of for one thing. The figures that we have, state that some 576 children have been treated. There are 29 in Anabasis House as of now. Mrs. Crowell stated that Chelmsford should stop giving to SHARE. One resident asked about the drug problem in Chelmsford. Mr. Doody stated that the problem was diminishing. When you go back three years to March 1970, it was a serious problem. It was decided that the best way to handle it was by a regional program. Chelmsford pays $18,000 a year to aide SHARE which consists of mey programs including detoxification, education, drug programs, etc. to take care of the kids that were into drugs. We are not talking about that now. The original program at the Grossman property was to get information out to the children. We are doing it in the schools and with the parents and it would appear it is not as severe as it was. If your children are not involved, you are very fortunate. When you say let it be somewhere else, we could arrange to have the kids go there and it would be very nice. They are beginning to understand what it is all about. It is up to us, the adults of the community to see that this continues, and this is the basis of the Board's vote when they took it. One resident stated that he was brought into inspect the Grossman property, there was no fuel and no electricity; they didn't seem too stable; this is the only run in I had with them. He asked if the people running Anabasis House were stable. Mr. Lamnan stated that he would have to rely on the expertize of Dr. Strudler, and other physicians. Mr. Brewer lived in the neighborhood and he spoke in favor of SHARE locating at the training school. He stated that SHARE would be in his neighborhood and he would like everyone to give it calm consideration. He referred to the fact that Chelmsford provides for recreation to mold the lives of our young and this is how it should be. We are now the new owners of the house at Strawberry Hill. We should have rehabilitation programs, we should look into the drug programs. We tend to lump drug addicts together but they are factory workers and house wives, kids, young men back from Vietnam. It would be to our advantage to demonstrate that we care and we are aware of the needs of the kids of Chelmsford. Lowell and its surrounding towns are one community, we have the same problems. Just as I put up with the nuisance of the ballpark because I love these young kids, I put up with the young kids with problems because I love them. One resident stated that he did not attned very many meetings but his first concern is not because it hit him at home, but he felt that this decision being of great importance to all concerned in the area, it should not have been made without somebody representing the local people. He realized that these people did not show up and that this was not in their favor. He asked if there would be a chance that there would be another meeting and the other side could be heard. I didn't think that a definite stand would be taken by the Selectmen on an important decision such as this. This is in the works and I don't know anything about it. I find myself without answers for these questions. I think we deserve a little bit more consideration than we got. Mr. Lannan stated that the meeting that was held September 25th, 1972 was talked about September 7th or 8th and the Board of Selectmen didn't send the letter in until October. There was plenty of time for people to do something then. The resident stated that he was not as well versed in the way that things operated. He thought that this was a fact finding committee and they would come back with an approval from the committee. He stated that he was not even sure whether he would want it or not. He asked that some of the questions regarding Anabasis House be clarified in people's minds that what the Selectmen say is acceptable, people can make an inward judgement. Another resident agreed stating that she lives near the property and there are fears involved and they should be explained. Mr. Lannan stated that the Board received SHARE'S proposal and this is what we endorsed. We have also endorsed another program for the use of the grounds at the training school proposed by James McMahon. If it is used as a Police Academy, there will be ample protection for the neighborhood. One resident stated that he would like to see information, these are the facts, this is the staff, this is the money involved. He also stated as there was a representative present from SHARE, could she fill them in on how Anabasis House is run and what it is. Miss Mason, Anabasis House Director, said the house was structured similar to a family with the senior residents of 8 to 10 months having the greater responsibilities and the younger residents of 1 and 2 months being taken care of as the youngsters of a family. There are 7 qualified staff members on a 6-1 basis. The average length of time one stays at the house is 8 to 10 months and for 18 months they spend rehabilitating with help into the community. At first, no privileges are allowed and it is 4 to 5 months before anyone is allowed visiting and this is done only with a staff member or a senior resident. No drugs

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Discussion regarding Anabasis House at the Middlesex Training School

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Discussion regarding Anabasis House at the Middlesex Training School

are allowed on the premises and all visitors are screened for drugs. Miss Mason said that there were no incidents of crime due to SHARE and she referred to several letters of commendation on the Lowell facility. The only reason they are leaving is that St. Joseph's Hospital needs the space to expand. She also stated that visitors are kept completely to family members and people that the staff has interviewed. Our screening is as complete as entering any prison short of Walpole. One of the letters of commendation came from Supt. MacPhail of the Lowell Police Department. The crime incident has been zero. A lot of the drug dealings have since ceased and the neighborhood has been upgraded. The people of SHARE have been commended for the behavior, upkeep, and volunteers in the community from Anabasis House. Miss Mason stated that she was not here to defend this, she stated she would like to explain this. She invited all the people to come to the facility and see what goes on in the house. It is not a group of hippies. They want more than anything else to become members of an establishment. Everyone of our graduates are working, trying to give back what they have gotten from people like you in the past two and one half years. Seven of our 15 graduates are going fulltime to Salem State College. I get reports on their behavior and averages. The lowest average is 2.8 accumulative and our highest average is 3.8 Deam's List. This is different than what is written in the newspapers. It is difficult for people to know what it is all about. Every Sunday, for the past three months, they have had the opportunity to attend the open house and talk to the residents and staff so that it doesn't seem so mystical and so horrible. Miss Mason also gave her age and qualifications. She stated that Lowell Mental Health is a separate organization but we work very close with them. We decided not to go to the Board of Appeals to locate in Pepperell. We would be so far away from the center area. The Shaw Hospital required extensive renovations. We contacted Senator Tully and other people in the County and Towns to find a facility because of St. Joseph's expansion. This building, which we are presently using, will be raised with the next couple of months. A resident asked Miss Mason, isn't it true that the Middlesex County Training School was promised to you when Shaw turned it down. Miss Mason answered yes. She also stated that the type of therapy was hard to do in the core part of a city. Miss Mason could not give the number of people who were at Anabasis House from Chelmsford at the present time. She could get this information. She stated that 56 or 57 had gone through the house and 470 in the three different programs. This number was in less than 24 months. It is not a question of their being a need and we are not serving. She also stated that SHARE is very heavily involved in prevention and education and to reach the community to serve them better. Miss Mason stated that there was no talk about expansion. This house has been established for two years, the staff has been stable, we can not handle therapeutically more than 40 people. The money we receive will be amortized completely over a 6 and 1/2 year period. Mr. Lannan stated that there was $18,000 in the budget for SHARE, it would not be an additional burden to the Town of Chelmsford. Miss Mason was interrupted by the residents and Mr. Lannan stated that he didn't think it was fair to put this young lady on a witness chair, we are here to gather information for you, this is not a trial. I don't think that we should take the position that she is on trial and should answer every question whith every minute detail. We would pay the county commissioners back over a six and one half year period. We pay $250. rent a month. It is a borrowing function rather than you putting out the money. Our staff money comes from the Federal Government. Miss Mason stated that the operating figures were available to the public. We work 65 hours a week for $6,500. We are also under every rule there is, County, State and two Federal Agencies. When residents asked about people camping outside the building Mr. Lannan stated that the jurisdiction of the M.C.T.S. does not fall under the Town of Chelmsford or the Board of Selectmen. It falls under the County Commissioners. They have already approved this. We could send a letter to the County Commissioners requesting that they do not allow this. We have not jurisdiction over these grounds. Mr. Hart stated that the original proposal was to use one of the buildings not the grounds. They would have to have the use of the groungs from the County Commissioners. Mr. Hart stated that these people were asking questions that the Selectmen did not have the right to answer. We could set up a meeting with the Selectmen, the County Commissioners, Share and the people. We are not going to get any answers by sitting here and asking questions that we can not give the answers to. We are not the authority. Mr. McColough asked if the Selectmen would set up a meeting with the County Commissioners. Mr. Markham referred to the minutes of September 25, 1972 stating that we had no objections from the people residing in the area. The meeting was held with SHARE representatives, Dr. Strudler, and they presented to us their plan for the use of Reed Cottage. This property is in the hands of the county, not the governor, where the petition. We took action to support the proposal to transfer Anabasis House to Reed Cottage. All we were being asked was to support this proposal. I had some reservations in my own mind because of what happened at the Grossman property. There was a tremendous amount of response. The people also expressed their concern at the meeting held at St.John's Church in North Chelmsford. I heard no objections from the people in the proximity of the training school. I, along with the other board members, supported their proposal. This was not giving them permission to use the property, that has to come from the County Commissioners. Since that time, may things have taken place and many changes have occurred. There is a new board of County Commissioners. They have voted to close the Middlesex County Training School. Also, Mr. James McMahon stated that Anabasis House would not conflict with his program. Dr. Strudler is no longer with SHARE. The new director has been there a relatively short time. A few weeks ago, I toured this facility with the new County Commissioner and reported to this Board that I felt the Town should attempt to make every effort to acquire the entire complex if possible, or as much of it as the County Commissioners would allow the Town to use for many projects. It would be an ideal situation for the Town to use these grounds for many purposes. For example, a youth center, housing for elderly citizens, etc. I also indicated it was a majority vote. I believe that only three members were present that evening. I felt that since many things have changed, I would prefer to have a discussion with the County Commissioners. They stated that they are willing to come to Chelmsford for an evening to discuss Chelmsford's use of the complex. We, as a

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Discussion
regarding
Anabasis
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Middlesex
Training
School.

(Continued)

Discussion regarding Anabasis House at the Middlesex Training School.

Board should send a letter immediately to the County Commissioners and ask them before any firm decision is made on the use of the property, they would have such a meeting and have SHARE make a presentation and any other organizations including the Town, this would give us an opportunity to put together information from various Town organizations and let the County Commissioners give a total proposal. I do support SHARE but before they make any decision on any use of the M.C.T.S. property, I would like to have a total picture of all the proposals and then see how SHARE and other proposals mentioned worked out together. I would not like to see them on a piece meal basis and find out in six months that they conflict. I think it would be to everyone's benefit to have a meeting. On a motion by Mr, Markham, seconded by Mr. Hart, it was voted unanimously to send a communication to the County Commissioners asking that before they make any firm decision on the use of any part of the property at the training school, they attend a meeting in Chelmsford to hear from Chelmsford on its possible use of the facility and also SHARE'S and any other proposals eminating from Chelmsford at that time. One resident stated that he would like his questions answered. He wanted to know who had the final say, the final figures, what SHARE will entitle the Town of Chelmsford to, rules that SHARE will operate by, what Chelmsford is going to receive from the SHARE program. Mr. Lannan requested that the SHARE people be available. Mr. Crowell asked the Selectmen if they were going to protect the people where they are residents of Chelmsford, homeowners and taxpayers. Isn't it up to you to protect us? None of you live near there. There are people who are for SHARE from Dracut, they don't live there. Are you going to represent North Chelmsford or are you going to represent SHARE. Mr. Lannan asked that a letter be sent to SHARE to prepare information on total funding, staff rules that would apply to SHARE and the same type of information on Anabasis House. Ask the directors of SHARE to provide a record of the past activities and the future of Anabasis House. Mr. Lannan stated that he endorsed SHARE. Mr. Doody stated that he represented every resident of this Town. Mr. Hart stated that he saw no reason to change his decision to be opposed to Reed Cottage or for Reed Cottage does not mean you are for SHARE. Mr. Markham stated that this meeting is being held now and not three or four months ago. We were only endorsing the proposal, and I still endorse the proposal. I did not reaffirm that proposal because many things have changed since last September, phase out of the training school. SHARE would not have conflicted with Mr. McMahon's proposal. Mr. Markham stated that he would like to hear from the person who has replaced Dr. Strudler. I could not reaffirm SHARE's use of Reed Cottage before they made a firm decision that they considered the total use for that property and to see how SHARE would fit in with that use. Mr. Markham stated that if the proposal was exactly the same as it was submitted to us in the fall, I would still support the proposal. Back in the fall, the training school was going to be there and this proposal would not conflict with this program. Since that time, I would not reaffirm that endorsement. Mrs. Crowell stated that there was no media on this whatsoever and we have fought for months, we have not just brought this up now. Mr. Markham stated that we did not receive 'the letter with the signatures until January 16th, 1973, at 9:00 A.M. and we received a telephone call from Mrs. Crowell on January 18th, 1973. We had not received any signatures until that date. I have not received a telephone call in regard to this. Mr. Markham stated that we should ask Town Counsel for an opinion in regard to the use of this property expecially for Anabasis House. Mr. Lannan asked that we forego this until we have the meeting with the County Commissioners. Mr. Markham stated that it might be pertinent to have this information. Mr. Doody suggested that we invite Town Counsel and he should be prepared at that meeting to answer that question. Also, send a copy of these minutes to Town Counsel, so that he will be prepared to address the subject of zoning at that time. Also, invite him to attend this meeting. On a motion by Mr. Hart, seconded by Mr. Doody, it was voted unanimously to adjourn this motting regarding Anabasis House.

(Continued) Discussion regarding Anabasis House at the Middlesex Training School.

Mr. Webster of the Lowell Sun asked about the motion that died for lack of a second regarding zoning. Mr. Lannan stated it was in regard to the potential use of the property being allowed with the present zoning. This question was raised in Lowell and in Pepperell. Mr. Lannan stated that he would like Town Counsel to be prepared to answer if the County is exempt or not exempt from the zoning. Mr. Lannan stated that there will also be questions from the floor if the questions are asked properly through the chair.

Questions asked by the Press.

Mr. Hart informed Mr. Webster that he could call him if he had any questions. He was surprised that he didn't call him when he wasn't sure about Mr. Hart being ill.

Mr. Markham stated, that before adjourning, we should clarify regarding the letter of January 16th, 1973 to the County Commissioners that it was a majority vote of the Board. Mr. Markham stated that it was a motion Mr. Humphrey and Mr. Lannan stepped down from the chair to second the motion. I did not vote to reaffirm the Board's position at that time for the reasons stated at that time. Mr. Lannan stated that he was not disputing that the question that came to me was that fact that you are still endorsing the proposal. Mr. Markham stated that under the circumstances, my vote of two weeks ago was not supporting the proposal at this time. What I was referring to was the concept of the proposal. Mr. Hart stated that the whole concept was to have it located there. You are either for it or against it.

On a motion by Mr. Hart, seconded by Mr. Doody, it was unanimously voted to adjourn the meeting. The Meeting adjourned at 10:00 P.M.

Meeting Adjourned.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen held February 5th, 1973, commencing at 7:30 P.M.
Members present were: Mr. Lannan, Chairman, Mr. Hart, Mr. Doody, Mr. Humphrey and Mr. Markham. Mrs. Haines also was present.

Members Present

Members of the Press Present were:
Lowell Sun: Mr. Gus Webster
Chelmsford Newsweekly: Mrs. Ann Marie Kierce

Members of the Press Present

Chelmsford Sentinel: Mr. Jerry House

Presentation of awards for Town Report Cover.

The Selectmen presented awards for the Town Report Cover. Beverly Becker, N.V.T.H.S. was presented a savings bond for First Prize: Patricia Roy, N.V.T.H.S. received First Honorable Mention and Warren Isleib, C.H.S. received Second Honorable Mention. Mr. Lannan stated that we asked C.H.S., C.Jr. H.S. and Nashoba students to participate in this contest. This is the third year we have had this contest. He congratulated the students on their entries and stated that this is a good example of what our young people can do in the Town and we hope this continues.

Discussion with New Eng. Power; School Bldg. Committee regarding easement at Byam School

The Selectmen met with Mr. Carl Mosely, New England Power Representative, David Beati, New England Power, and James Sullivan, Chelmsford School Building Committee, to discuss a request by New England Power for the extension of their existing easement on the Byam School property by 100 feet. Mr. Sullivan stated that he was contacted by the representatives of New England Power and he stated that this wasn't a yes or a no answer but whether this came under the jurisdiction of the School Building Committee. The School Building Committee reported that they had studied this land and they could see no infringement on the Byam School property by this easement. The School Building Committee did not feel that any further action beyond this study was in their jurisdiction and sent this matter to the Selectmen. Mr. Sullivan also stated that while discussing this easement with Mr. Mosely, Mr. Mosely stated that New England Power may purchase land beyond that of the Byam School to put wires through. This land consisted of more than two acres and would be landlocked. If the deal was able to be worked out this land would be given to the Town, maybe the Recreation or Park Departments could use the land. You know we are under a certain litigation with the railroad and we are talking about a fence going along this line. Either they might do it or we will do it. If the Town would take this piece of land for a trade, we might be getting ourselves into a big strip of fence along that. I don't want to have to purchase 448 feet of fence. This was only suggested, it was never designed. This land might be absolutely useless. If this easement is going to facilitate the Electric Company, to bring better power to the area I wish them luck. Mr. Mosely stated that in regard to the 2.76 acreas of land at that time, I had been in negotiations with the owner and there is a very good possibility of us acquiring this land. If the Town wanted it, we would do something about it, we are looking for guidance from you people. We are a little late in submitting this article. We are looking to see how we can go about it. It is Town owned so that we would have to go through the Town Meeting. Mr. Beati stated that to extend this easement we would have to have the right of way across this land, we don't want the land. We have drawn up a suggested article, we are willing to pay for the right to use that land. Mr. Humphrey stated that this seemed like an awfully wide easement. This original easement has been there since the 1920's. We have already gotten permits from Tewksbury and Woburn, Mr. Beati informed the Selectmen. Mr. Humphrey stated that it is imperative for the Town to get this easement, and the only possibility is to accept the article or call a special town meeting within the Town Meeting to insert it. He also stated that the land brings in taxes now and he would like to see the income continue until such time that we might have a proposal to use this land. In answer to Mr. Doody, Mr. Mosely stated that he could not give an answer to the property being turned over to the Town as they do not own the land yet. Mr. Beati stated that we are going to pay the Town for the right of way to go across this land by the Assessor's placing the value on it. Mr. Humphrey stated that we should condition the article for the possibility of accepting the land in the future but also keep in mind that we are now receiving taxes from it. Mr. Mosely stated that New England Power had no objections to turning that land over to the Town.Mr. Humphrey added if you acquire it. The Town must decide if they want to take it if they have the opportunity. In answer to Mr. Markham regarding the Town not accepting the land, Mr. Beati stated that if the Town can use this land, it is there. Mr. Markham stated that the price of the use of this land is a one time charge. On a motion by Mr. Hart, seconded by Mr. Humphrey it was unanimously voted to insert this article to grant New England Power the easement at the Byam School property in the Warrant and also include in the article that New England Power would grant the right to use that property if in the event the Town would not accept it, and also the possibility of the Town acquiring this land in the future if the Town so chooses and if the Electric Company purchases this land. Mr. Humphrey requested the tax figures from the Assessors.

(Continued)
Discussion
regarding
Byam School
easement.

The Selectmen agreed to hold the one bid received for the printing of the List of Men and Women for one week. This bid was from Goodway. Mr. Humphrey stated that he would like to know if the other firms had received the specifications for this bid.

Hold bid on
List of
Men & Women

The Board received a check in the amount of $2,400 made out to the Town of Chelmsford from the I.M.A. Insurance Company for tornado damage to the highway garage. This check will be turned over to the Treasurer.

Check rec'd.
for tornado
damage to
Hgway. Gar.

Mr. Lannan read a memo from the Town Accountant which stated that he was still trying to get the figures needed to complete the formula for the Lottery distribution. Also, comparisons of other town figures on Rev. Sharing are slow in coming. We received $585 more money from "The Game" than the Cherry Sheet promised. In total, the Town received $121,426 more in State contributions than expected.

Town Acct.
report for
Lottery
Dist.

Mr. Lannan read a report regarding the newspaper pickup by the Highway Department for the Recycling Program for the week of January 30th through February 3rd, 1973. The total number of tons collected was 10.4150 tons at $8.00 per ton. for a total amount of $83.32. Wages paid for Highway Department employees were $924.00. Mr. Rondeau also stated that the men worked Saturday as rubbish collections were cancelled on Monday January 29th, 1973 due to a snow storm. Mr. Hart stated that the trash price per ton should also be added to that figure ($83.32). The trash price per ton is $6.00 at the incinerator.

Report from
Hgway. Dept.
regarding
paper pick-
up.

Mr. Hart moved to approve the minutes of meetings for November 20th, 27th, December 4th, 11th, 18th and 27th. Mr. Humphrey seconded the motion. Mr. Markham stated that he had a couple

Minutes
approved for
11/20,27 &
12/4,11,17,27

of comments. He stated that the minutes were in excellent condition, a good record of the meetings. He thought it would be well to initiate the practice of indicating that a vote was taken and all votes as taken should be recorded. If someone abstains, note that. Mr. Humphrey stated that if they did not vote, it would be recorded in the minutes. Mr. Markham referred to the minutes of November 27th, 1972. They were not recorded properly. He stated that he arrived at approximately 8:45 P.M. and it was not mentioned that he was present. Also, he was present at the meeting held December 18th, 1972. The Board agreed to vote on thdse minutes when the corrections were made.

A.B.C.C. letter regarding the age to 18 from 21 for drinking.

Mr. Lannan read a letter from the A.B.C.C. regarding Chapter 155 - Acts and Resolves 1972 - 18 year old drinking etc. Also enclosed was a copy of Chapter 155 wherein Chapter 138 of the General Laws (The Liquor Control Act) was amended so as to lower the age requirement from twenty-one (21) years of age to that of eighteen (18) years of age. Said Act becomes effective as of the first (1st) day of March 1973.

A.B.C.C Reg. for 2/19/73

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to accept the regulations of the A.B.C.C. for Washington's Birthday, Monday, February 19th, 1973.

Letter from Speaker of House regarding the redistricting of Chelmsford.

Mr. Lannan read a letter from Mr. David Bartley, Speaker of the House regarding the proposed redistricting plan as it affects the Town of Chelmsford. He suggested that it might be helpful for thel Selectmen to know that Rep. Keverian is meeting individually with every member of the House to insure that each community has an opportunity to present its respective case. The final decision on redistricting must be made by the House and Senate as a whole and signed by the Governor prior to becoming law. He also stated that it would be unfair of him as Speaker of the House to comment on any particular district at this time since the committee is still working to solve this critical problem. He stated that however, he could assure you and the members of the Chelmsford Board of Selectmen that the plan will be as fair and just as decent and honorable men and women can devise. He stated that if his office could be of any assistance, do not hesitate to call. Mr. Hart stated that in his letter, Mr. Bartley said that our representative will be given an opportunity to take a stand and he already has taken a stand that if you have to lose them, you have to lose them. He singled out North and East. I think that it should again be stressed to our representative that Chelmsford should remain its own district. Mr. Lannan asked if the Board would be agreeable to asking Rep. Keverian and Rep. Freeman to meet with the Selectmen. The Board agreed. Mr. Humphrey stated that we should send a copy of the letter we sent to Rep. Keverian to Rep. Freeman, Sen. MacKenzie, Sen. President Kevin Harrington, and Rep. Keverian and ask them to respond to our feelings.

Two "30MPH" signs on Elm Road & Acton Rd. Both sides.

Mr. Lannan read a letter from the Police Department regarding speed limit signs on Acton Road, from Sleigh Road to Village Square in South Chelmsford. The Police Department checked this area and recommended two "30 MPH" signs to be erected in the area of Elm Road and Acton Road; a sign to be erected on both sides of the road. The Board agreed to approve the recommendations of the Police Department and forward this to the Highway Department to have the signs erected.

Mr. Lannan read a letter from Mr. Bruce Campbell, Commissioner, Department of Public Works, referring to our letter of January 10th, 1973, regarding stop signs erected by the Town of Chelmsford without a permit. He stated that they are illegal and useless in case of prosecution. He stated that his representative met with the Police Chief and Safety Officers to determine the magnitude of Chelmsford's problem. Police Department records show 157 existing stop signs with permits for only 21 signs at fourteen (14) intersections. He also stated that some or many intersections may meet the warrants for stop signs, but all will need investigation before permits may be issued, and my traffic engineering staff will be working to that end. We will be working directly through Chief Germann's Office with Safety Officers Adams and Bell, and will keep you apprised of our progress. Mr. Lannan stated that he was in the Commissioner's office on the 29th of January and at that time, we had a discussion regarding the traffic sign situation and he assured me that the restrictions had been lifted and most of these signs will be approved. There are many other towns in the Commonwealth that have 150 or more signs and only about 20 of them are legal. Mr. Hart stated that we are not giving anyone a list of illegal stop signs.

Letter from Comm. of Public Works stating that stop signs erected in Town done without a permit.

Mr. Lannan read a letter from Town Counsel regarding Henry Becker - Land Taking. The taking was for school purposes and involved land on Richardson Road. Also enclosed was an amendment to the order of taking that was voted May 27th 1969, and recorded in Middlesex North District Registry of Deeds, Book #1906, Page #408, which amendment strikes out the names "Henry C. Becker and Helen M. Becker" and inserts the name of "Henry Becker" which is the correct owner. A vote of the Board was required for this amendment. On a motion by Mr. Hart, seconded by Mr. Markham, it was unanimously voted to strike out the names of "Henry C. Becker and Helen M. Becker" and insert the name of "Henry Becker."

Landing taking of Henry Becker letter from Town Counsel

Mr. Lannan read an opinion from Town Counsel to the Personnel Board regarding Authority of Board of Health under M.G.L.A. Chapter 111, Section 27. That law states that the Board may fix the salary or other compensation of such physician and its clerk and other agents and assistants. This ruling is in conflict with another law, but because this conflict has never been tested in court, Town Counsel's opinion is that the Board of Health may set the salary even though it differs from the rate of compensation established by the Personnel Board. Mr. Markham stated that even though this may be perfectly legal from a state statute point of view, it is unfortunate that the Town By-laws were circumvented if for no other reason than employee moral in the Town Hall. Mr. Markham stated that if they chose to take this route, they could have waited until Town Meeting. Mr. Humphrey agreed with Mr. Markham. We should put this in writing to the Board of Health and express our disappointment with their action. This is not the first occasion. I think, once before during the replacement of the last director of Public Health and the present director, there was a change in salary without Town Meeting action. We should strongly state to them our feelings, and we should hope that it sinks in. Mr. Doody

Opinion from Town Counsel reg: salary in Bd of Health.

agreed that they respond to the Board's feelings and why they chose this route. He thought there should be an explanation. Mr. Markham stated that they may not choose to explain to this Board but they do owe an explanation to the Townspeople. The Board agreed. Mr. Humphrey stated that this also cost the Town $70.00 for their action.

Opinion of Town Counsel regarding land at So. Chelms.Rod & Gun Club.

Mr. Lannan read Town Counsel's opinion requested by the Selectmen in regard to the South Chelmsford Rod and Gun Club stating that the Town conveyed the land to the Gun and Rod Club by two separate deeds, one in 1948 and the other in 1953. It is clear that the land conveyance of the 1953 parcel in no way restricts its use. The 1947 conveyance requires that the portion of land therein conveyed be used for club purposes. It is our opinion that if the swimming pool and tennis courts were built on the restricted parcel of land there would be no violation of the land conveyance if the functions of a Gun and Rod Club are also continued. If, however the club ceases to function as a Gun and Rod Club then a violation of the conveyance would occur and the land would revert back to the Town. Mr. Humphrey stated that this should be presented at Town Meeting as part of the Selectmen's input to that particular article for rezoning of this land. Mr. Markham asked if they were seeking a rezoning on both of those parcels or just one. Mr. Humphrey recalled that they were turned down by the Board of Appeals.

Discussion regarding heavy truck traffic on Dalton Road and Steadman Street.

Mr. Lannan read Town Counsel's opinion regarding a By-law prohibiting the use of Steadman Street and Dalton Road by through traffic vehicles which weigh in excess of two and one half tons. It stated that the Mass. General Laws authorizes a Town to pass by-laws regulating the use of vehicles within the Town. A Town is authorized to establish a fine not to exceed twenty dollars for each violation of such regulation. It is our opinion that the regulating of the weight of vehicles passing over certain roads of the Town is within the power conferred by this statute. However, this statute is expressly made subject to Mass. General Law, Chapter 90, Section 18. This states that all regulations controlling the use of the roads within a town must be approved by the Department of Public Works. In order to exclude vehicles of five tons or over from such main highway, it is mandatory that the regulation describe a reasonable alternate route. The final step in making a new regulation effective is to place all appropriate signs at points designated by the Registrar of Motor Vehicles and the Department of Public Works. It is our opinion that the proposed regulation of Dalton Road is legal and would become effective if all the other steps were followed. The proposed regulation of Steadman Street, setting the weight at two and one half tons, is illegal since said street is a main highway leading from one town to another, in our opinion. Also, no reasonable alternate route is described. He also noted that the petition was not in a form of an article and if the Board wishes, Town Counsel would prepare an appropriate article. Also, an alternate route for Steadman Street traffic should be indicated. Such articles would prohibit from Dalton Road all through traffic vehicles over two and one half tons and from Steadman Street all through traffic vehicles over five tons and would have to designate an alternate route for Steadman Street. Mr. Markham stated that it appears that the biggest problem is not arising from through trucking from one end of

(Continued)
Discussion regarding heavy truck traffic on Dalton Rd. and Steadman Street.

Steadman Street to the other but the biggest problem is caused by trucks entering Steadman Street somewhere in between. I think that quest would have to be addressed to Town Counsel. Mr. Lannan asked if the Board wished to have an article drawn up to this effect and have Town Counsel specify what alternate routes the trucks could take. Mr Markham stated that the intent was there, maybe the wording was not accurate technically. Mr. Markham moved to have Town Counsel prepare this article for Town Meeting. In making the motion, he questioned if this was the answer. Mr. Hart seconded the motion but felt as Mr. Markham did that this may not be the answer as the businesses on Steadman Street would have trucks leaving their place of business. Mr. Doody stated that the article should be included and have the traffic department put some input in this. Mr. Humphrey stated that he wondered when this was going to stop, we took into consideration the North Road situation knowing of the heavy traffic but I don't know whether we should continue to do this on every street. I think that if we continue to do this, we will need further advice from those who know rather than assuming that this is proper. Send it to the Police Department for their comment and recommendations. Mr. Doody stated that maybe after, as a result of their recommendations, this article will be dismissed. That is what the people who submitted the article wanted. Mr. Markham agreed to the input from the Police Department also type of vehicles and size of vehicles. We might consider getting a report from the Highway Superintendent, Dalton Road is continually in need of repair and these types of vehicles are no help to the road pavement. They are also in the midst of a school zone. I hope the Police consider the school zone that exists there. Mr. Humphrey also asked if the business would be in violation if the by-law was passed. Mr. Markham stated that it was not the oil company trucks but the large trucks hauling fill out of the gravel banks. Mr. Hart stated the original request for this was the fact of the gravel trucks using the road. He wondered whether the oil trucks would be considered through traffic or not. Mr. Markham stated that Town Counsel would have to be prepared regarding vehicles entering the road between these two points, if they would be considered through traffic. Mr. Hart, Mr. Markham, Mr. Lannan and Mr. Doody in favor of this motion. Mr. Humphrey opposed, the motion. It stands at four in favor, one opposed.

Town Counsel opinion reg: ambulance contract.

Mr. Lannan read an opinion From Town Counsel that was requested by the Selectmen stating that it would be legal to include several conditions in the ambulance contract as the bidding by-laws control bidding and nothing in the writing of the contract. Mr. Lannan stated that this must be advertised within the next week. Mr. Markham stated that a motion was made that if this was in the affirmative, we would proceed and the conditions were stated at that time.

Notice from Town Counsel reg: Riverside Realty Trust vs. Bd. of Appeal

Mr. Lannan read a letter from Town Counsel stating that the Housing Appeals Committee has set the Riverside Realty Trust vs. Board of Appeals matter down for final arguments at 10:00 A.M. Thursday, February 22nd, 1973, 141 Milk Street fifth floor, Boston, Mass. He also enclosed a photocopy of this notice.

Discussion regarding the reappointment of Mrs. Burrows to Bd. of Registrars.

On a motion by Mr. Hart, seconded by Mr. Humphrey it was unanimously voted to accept the resignation of John P. Emerson from the Board of Registrars. They also agreed to send him a letter of thanks for his service. Mr. Lannan asked that the Board come in with nominations next week. Mr. Humphrey stated due to circumstances, the Selectmen could not reappoint Mrs. Burrows as she was a Democrat and so was the new Town Clerk. In order to balance the Board of Registrars, it was necessary to replace Mrs. Burrows with a Republican. Mr. Humphrey moved to appoint Mrs. Burrows so that we can now correct that injustice. It was unfortunate that she could not be reappointed last March. Mr. Markham seconded the motion. Mr. Markham also stated that he would ask to have it stricken from the records that she was not reappointed, her term was up. Mr. Doody asked if we had received a letter of application indicating her interes in this position. Mr. Humphrey stated that he was sure she didn't realize there would be a vacancy and we owe her the obligation of asking her and it will be up to her to refuse this. Mr. Hart stated that we would go along and wait another week. We all know of what Mrs. Burrows has done for the Town and if there is another name, in fairness to the other person, we should find out if Mrs. Burrows is interested. Mr. Humphrey stated that he would challenge the fact that there is another name in. Mr. Markham asked if the Board would temporarily postpone action and ask Mrs. Haines to contact Mrs. Burrows and see if she would take this. There were no objections to this request. Mr. Markham stated that we should also check our files to see if there are any other names. After a five minute recess, Mr. Humphrey stated that based on Mr. Hart's conversation with Mrs. Burrows, she has declined for reasons of her own choice. I will withdraw her name for nomination. This was seconded by Mr. Markham. He also stated that it was unfortunate that Mrs. Burrows could not be brought back to this Board. All in favor of withdrawing Mrs. Burrows name for nomination. Mr. Humphrey stated that he would agree with the Chairman's request that we come back next week with nominations and I would make that motion. Mr. Hart seconded. Mr. Humphrey asked the press to inform the townspeople that there is a vacancy on the Board of Registrars for a registered Democrat. These people could call the Adm. Assist. and submit their names. Mr. Doody wished to place the name of Mr. Verano of 17 Garland Road in nomination. Mr. Humphrey, Mr. Lannan, Mr. Markham and Mr. Hart were in favor of holding this appointment for one week. Mr. Doody was opposed. The motion passed, four in favor, one opposed.

Town Counsel opinion on article for New High School - swimming pool & little theatre.

Mr. Lannan read Town Counsel's opinion regarding Town of Chelmsford - New High School Swimming Pool and Little Theatre, stating that the articles as drawn appear to be legal. He did not believe that they would accomplish the objectives sought by the School Committee. Also, they would create many problems for the members of the School Building Committee. The paramount defect in the proposed articles, is the absence of any provisions for obtaining architectural and engineering services for preliminary plans and specifications so that the actual costs of the proposed projects will be known to the townspeople at the time they vote on the articles.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to accept the resignation of Mrs. Lorraine Shea from the Conservation Commission. The Board agreed to send her a letter of thanks for her services. Mr. Lannan also read a letter received from Mr. John Balco, Chairman of the Conservation Commission asking the Board to consider the name of Mrs. Richard McCarthy of 26 Summit Avenue. He stated that Mrs. McCarthy has demonstrated considerable interest in the Commission during the past several months by attending several of our regular meetings and hearings under the Wetland Protection Act. Mr. Balco also stated that she would make an excellent candidate for a possible appointment to the Commission, Mr. Hart stated that the Conservation Commission has become an extremely important Commission and we should make this vacancy known to the people of the town so that they can turn in applications. It is important that we fill this vacancy with an extremely qualified person. Mr. Hart moved in favor of holding this appointment for one week, Mr. Humphrey seconded. Mr Markham stated that the suggestion made by the Conservation Commission is a valid one. The few meetings that I have attended, Mrs. McCarthy was present and it appears that she is extremely knowledgeable on the current legislation governing the workings of that Board. When the time comes, I will place the name of Mrs. McCarthy in nomination. Mr. Humphrey suggested that she be informed that she is being considered and ask that she forward a resume of her qualifications. Mr. Lannan stated that the Board has always taken into consideration the recommendations of the Chairman. All members of the Board were in favor of holding this appointment for one week.

Resignation accepted for Lorraine She of Conservation Comm. Appt. to fill vacancy to be held in one wk.

The Building Inspector's Report for the Month of December contained 6 permits with a total valuation of $33,500.00

Bldg. Insp. Report for December.

Mr. Lannan read a communication from the County Commissioners stating that the following amounts have been allocated to the Town of Chelmsford to be appropriated and paid to the Treasurer of Middlesex County Retirement System Pension Fund $255,242.00, Expense Fund $9,522.00 for a total of $264,764.00. Mr. Lannan stated that this will be in the Town Meeting Warrant.

Funds appropriated for County Retirement System.

Mr. Hart stated that Mr. Roger Welch would give us some information to send out to the companies for bids on insurance. This would make it easier for us to understand the bids.

New Busines

Mr. Lannan stated that there would be a meetingof the Selectmen, The Finance Committee, and Town Counsel to go over the articles for the Warrant this Saturday at 9:00 A.M.

There is also a meeting scheduled for street acceptances February 22, 1973.

Mr. Hart stated that the Police Negotiations have been completed and the new contract is being drawn up and copies will be available for the Selectmen to look over. It seems that we have come to a very amicable agreement with the Police Department.

(Continued)

New Business

Mr. Humphrey stated that in reading a report from the EEA people he found one item that was quite disturbing. It is in regard to the present testing of the salt samples that have been delivered by Chemical Corp. to the Town. The Purchasing Agent is meeting with the staff of Lowell Tech regarding the testing but a statement is made here that findings will be reported separately. This is a strong statement that there is evidence that salt as supplied does not meet the specifications. I don't know whether it might be or there is a possibility that it doesn't. There is something wrong. I would like the Purchasing Agent to immediately clarify that statement and see if we have to take steps to have Chemical Corp. comply with these steps. We have spent $1,000 on salt. The Board should forward a protest to Chemical Corp. and hold all bills that will be paid in the future. The Board agreed.

Mr. Humphrey asked if we received a letter from Mr. Blackadar regarding a request the Board made asking that he review the facts and figures for Revenue Sharing funds that the Town is going to receive and also to see if the figures were proper in his opinion and also the figures from the game. Mr. Lannan stated that we received a letter from Mr. Blackadar which was read earlier at this meeting.

Mr. Humphrey requested that another copy of the letter that was sent to the proprietor of East Gate be sent to him and also request an answer to our letter. Mr. Markham stated that he would agree with Mr. Humphrey if he agreed to the Building Inspector's request. Mr. Humphrey stated that this is a separate communication but I have no objections to that.

Mr. Humphrey also requested the status of Cusing Place. Mr. McCarthy, present at this meeting, informed the Board that he had prepared the necessary instructions for the Building Inspector and he sent out the necessary letter. After the expiration of 30 days, the Building Inspector will appoint a committee and they will put a value on the property and he will proceed at the expense of the owners of the property to tear it down. Mr. McCarthy stated that we are in a position to raise the building at the owners expense. Mr. Humphrey asked that the Board receive a copy of the Building Inspectors communications that were sent out.

Mr. Humphrey was informed by Mr. Markham that the Finance Committee agreed that the Selectmen could charge the appraisal for Westford Road to the legal services account and the appraisal for the East Chelmsford Fire Station would be charged to the East Chelmsford Fire Station Planning Account. There is a letter to Town Counsel to this effect. Mr. Humphrey asked that these people be informed of these appraisals.

Mr. Doody requested that we get a response from the Town Accountant in regard to Revenue Sharing. The deadline is February 12th, 1973 next Monday. These figures have since been adjusted and we are waiting to see if these figures are accurate. There is a memo which maybe he hasn't seen from the Mass. League of Cities and Towns. Maybe, he could get it verified from this information. Mr. Lannan stated that the last time he talked to Mr. Blackadar, he felt the figures that came to us were correct. He cannot come up with the per capita income. There maybe other areas that we may appeal on. Mr. Doody stated that we should see if the aggregate income and adjusted taxes figures are correct,the other data is just averages. If these figures are accurate, challenge the figures that were supplied to us by the Federal Government. If it is inaccurate we have a case. The transportation cost for school buses could be used as a vehicle for an appeal. We have to have this submitted by next Monday; he could answer this in the same letter. The Board agreed to send this letter by February 12th, 1973.

(Continued)
New
Business

Mr. Doody asked about the alleged zoning violation at the Vrouhas property. In a letter dated September 18th, 1972, the Building Inspector stated that the property on Littleton Road was in violation of the by-laws and if this situation is not cleared up within thirty days, it would be turned over to the Town Counsel. Town Counsel stated that he had not taken action previously as he had understood that Atty. Geary had requested a conference with the Selectmen before any action took place. Town Counsel stated that he would proceed to take action immediately.

Mr. Markham notified the Board that the Highway Department labor negotiations had been reached and a letter was on its way to the Selectmen stating that it has been ratified. He also commended the men of this bargaining unit for accepting this agreement. The terms are in line with Phase II of the Wage and Price freeze. Also, there are two articles that will be put before the Town Meeting.

Mr. Markham asked if Mr. Welch indicated that he would send the conditions immediately for Workmen's Compensation as the expiration date is March 1st, 1973. We have to get moving on this since the expiration date is March 1st, and we are going to allow the other companies to search out some of the highest priorities. Mr. Lannan asked that Mr. Welch and Mr. Olson meet with him tomorrow to discuss these conditions. Mr. Markham stated that if these conditions were in the office, we could review them Thursday night. We already voted to go this route for bids and we could immediately set up a mechanism for bids.

Mr. Markham stated that Mr. Humphrey made reference to the letter regarding East Gate. He requested that we ask the Building Inspector for a reply as this has been outstanding since June 14th, 1972 regarding the existence of the garden center.

Mr. Lannan stated that Fire Negotiations are still going on.

Press
questioned
Board of
Selectmen.

Mrs. Kierce of the Newsweekly asked if the Selectmen intended to comment on the final draft of the Charter Commission. Mr. Markham stated that he had not completed reading the proposal but he would certainly be willing to comment on this prior to Town Meeting, and prior to going on the Town Election Ballot. Mr. Humphrey stated that as an individual who was interviewed for opinions by the Charter Commission, he found that it didn't relate entirely to what he felt the Charter Commission study might extend too in those areas, there are some humble deficiencies. He did not intend to support it.

Meeting Adjourned.

On a motion by Mr. Hart seconded by Mr. Humphrey, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 9:56 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen held February 12th, 1973, commencing at 7:30 P.M.

Members present

Members present were: Mr. Lannan, Chairman, Mr. Doody, Mr. Hart, Mr. Humphrey, Mr. Markham. Mrs. Haines was also present.

Members of the Press present

Members of the press present were:
Lowell Sun: Mr. Gus Webster
Chelmsford Sentinel: Mr. Jerry House
Chelmsford Newsweekly: Mrs. Ann Marie Kierce

Vote to grant New Eng. Tel. & Tel. Co. permission to install underground conduit and manholes

The Board of Selectmen met with Mr. Jeremiah Casey, New England Telephone Company, to request permission to install un underground conduit to increase the trunk quality to the Town of Chelmsford. Mr. Casey explained that the new conduit would leave the control office on North Road proceed down Fletcher Street, cross over Chelmsford Street and continue down Chelmsford Street to Lowell and from there, tie into the new office in Lawrence. The new lines would connect Chelmsford with the 4A office in Lawrence and would facilitate long distance calls. N. E. Tel. has applied to the State Highway Dept. for a permit to excavate on Chelms. Street. Mr. Casey stated that the driveways will be surfaced and if there is grass, it will be loamed and reseeded. The installation area will be where there should be a sidewalk and if there is a sidewalk there, we will replace the sidewalk. He also stated that N.E. Tel. wanted to start work immediately. Mr. Humphrey stated that you have to watch the road conditions in the winter for flooding conditions. The Highway Dept. would not allow the roads to be opened up and if we grant you permission, the road will be opened up in the future. Mr. Casey stated they would be working from 6 to 8 weeks. N.E. Tel. would hire Police Officers to control traffic. The only abutter present was Charles Watt, owner of Speedway. Mr. Casey informed him that they would only excavate part of the driveway at a time. We would not inconvenience anyone. Mr. Hart moved to grant this permission to N.E. Tel. Mr. Markham seconded the motion. Mr. Humphrey added to this motion that the approval be conditioned upon receipt of an agreement from N. E. Telephone that all property as disturbed will be replaced as the work is completed and at any future time when required and where deemed necessary by the Town of Chelmsford Board of Selectmen and/or the Highway Superintendent. The vote was unanimous. On a motion by Mr. Hart, seconded by Mr. Markham, it was unanimously voted to grant permission to New England Tel. for placing of manholes in connection with the same conduit.

Open and Record bids for Rec. Dept.

The Selectmen opened bids for the Recreation Department and Mrs. Haines, Adm. Asst. recorded them as follows: Northeastern Const. Co., P.O. Box 2245, Framingham, Mass. Site Work, Recreation Area, asked for plans and specifications. Pelrine's, P.O. Box 183, Weymouth, Mass. requests for plans and specifications for playground area. Medford Sq. Sporting Goods Co., 70 Salem St., Medford, Mass. 10 #3665 Basketball jerseys w/TT numbers $37.50. JAC Contracting Inc., provide finish landscaping services on the South Row School Playground, $25,000.00. Emil J. Iacollingo, Inc., 239 Tyler St., Methuen, Mass. Bid for Robert's Property $7,400. If ledge is encountered on this job, the price of moving it will be extra. Earl L. Hupper, 137 West St., Wilmington, site work for construction of ballfield and earthwork at the South Row School and Westford Site $19,590.00. Open ledge excluded, excavation, if ordered, 8.90 per cubic yard. Remove and reassemble existing backstop, $930.00. Install new backstop, $2,160.00. Loam, if needed, at the Westford Road site, $4.00 per cubic yard. The Selectmen turned these bids over to the Recreation Department.

On a motion by Mr. Markham, seconded by Mr. Hart, it was voted unanimously to accept the minutes of meeting held November 20th, November 27th, Dec. 4th, Dec. 11th, Dec. 18th and Dec. 27th, 1972.

Minutes appvd. for 11/20, 11/27, 12/4 12/11,12/18 12/27, 1972

Mr. Lannan stated that last week we received a bid for the List of Men and Women. We postponed opening that bid in order that all the bidders were informed that a rebidding had taken place. The only company bidding the second time was Goodway. Mr. Olson, Purchasing Agent, informed the Selectmen by letter that he had contacted all the companies bidding the first time and had been told by them that they would stay with their original bids. Mr. Lannan stated that he didn't think the original bids are still valid and asked if the Board wished to go out for bids again. We asked for sealed bids. Mr. Hart asked that Mr. Olson inform these people that we have to have new sealed bids. I don't think that we should open one bid. Mr. Markham stated that we should turn this over to the Board of Registrars and when they are ready to have the book published, have them advertise. They have advertised for other services. We should reject all bids and so inform the Board of Registrars. Mr. Markham stated that we could use the figure from last year at Town Meeting. Mr. Markham moved to reject the single bid and so notify the bidders and others including the Bd. of Registrars and inform them when they are ready to have the book printed, that they proceed with the bidding procedures. I believe this money is in the Bd. of Registrar's budget or will be in the budget. They have just advertised themselves for bids on the ballot sheets and for data processing services. This will not be ready for printing for two or three months. Mr. Markham's motion failed for lack of a second. Mr. Hart moved to readvertise for bids on the List of Men and Women for the Town of Chelmsford. Mr. Doody seconded the motion. Mr. Markham stated that we are spending more money on advertising than on the book. I would accept the fact that the other bids are valid, if the Board does not want the Registrars to advertise. We have a letter that they accepted the bids of Jan. 16th or whatever it was. Mr. Humphrey stated that Mr. Markham is entirely correct. I think the motion should be reconsidered. I think the placement should be changed. Mr. Doody stated that if we are going to change the practice, let it be changed next year. Don't let them get in the mess that we did. Mr. Humphrey amended the motion to be readvertised by the Board of Registrars, Mr. Markham seconded this motion. Mr. Hart, Mr. Lannan, Mr. Doody in favor of motion to have the Selectmen readvertise for bids. Mr. Markham, Mr. Humphrey opposed. The motion passed three in favor, two opposed. Mr. Markham stated that we had a recommendation from the Bd. of Registrars at the time we received the second bid, the second time we had the group. He referred to the memo from R. Olson dated Jan. 3,1973. Mr. Hart stated that he didn't intend to change his vote. We have handled this bid and took a vote on it and I don't see why we have to continue on this.

Discussion on readvertising for bids for List of Men and Women

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to grant permission to New England Telephone to install one manhole on Billerica Road. This will run from Chelmsford to Billerica, the only installation is the manhole.

Permission to N.E. T.&.T. to install manhole

The Selectmen received a copy of a letter sent to the Chief of Police from Mrs. Lawrence LeMay, 21 Kathleen Drive, Franklin, Mass. relating the excellent work of the evening force of officers on Jan. 29th, 1973, when the LeMay family required help on Route #495. The Selectmen agreed to send a commendation to the Police Department for their fine work. Mr. Lannan stated that this is a tradition of the Police Officers in the Town of Chelmsford.

Letter of commendation to the Police Dept.

Vacation Benefits for Chelms. Police Dept.

Mr. Lannan read an opinion from Town Counsel re: Correspondence from the International Brotherhood of Police Officers which stated that the town accepted the provisions of Mass. Gen. Laws, Chapter 41, Sec. IIID which provides for three or four week vacations for the fire and police force, depending on length of service. The Town also adopted Chap. 147, Sec. 16C of these Laws which provides for a five day work week. Based on the interpretation of these two statutes, and in view of the local acceptance of the applicable provisions, vacation benefits for the Chelms. Police Dept. must be computed on the basis of a seven day (calendar) week. Computation of the benefits should be made from Jan. 1, 1970. Mr. Lannan asked that the Police Chief be notified to obtain these figures.

Req. for Motorcade - Wm. Murphy

Mr. Lannan read a letter from the Committee to elect William Murphy requesting a permit for a motorcade on Feb. 24th, 1973 from 2 P.M. to 4 P.M. They stated that they would leave out Central Square and Vinal Square. Mr. Humphrey stated that the Board did not have the power to grant or deny this and the Board agreed to forward this to the Police Dept. for a Parade Permit with their approval.

Meet with Middlesex County Commissioners

Mr. Lannan stated that the Middlesex County Commissioners will meet with the Bd. of Selectmen on Feb. 22nd, 1973, at 7:30 P.M. at the High School to discuss the SHARE Program at the Middlesex County Training School.

St. Acceptance Meeting

Mr. Lannan also stated that there will be a meeting at the Town Hall for Street Acceptances on February 22nd, 1973 at 7:30 P.M.

Petition from N.E.TEL. for Cove St. Ext.

Mr. Lannan read a petition from N. E. Tel. Co. requesting a buried cable for Cove Street Extension on Dawn Drive. No hearing is required. The Board agreed to hold this petition so that Mr. Casey from N. E. Tel. Co. could come in next Monday night to explain this and also to notify any abutters who might be interested.

Vote to issue license for storage of 49,000 cu. ft. of hydrogen Silicon Trans. Corp.

Mr. Lannan stated that we have received a communication from a Certified Engineer, Thomas F. Queenan, Union Sheet Metal Co., Inc. stating that the amount of air is adequate to exhaust the entire amount of air in the building every half hour. This is in regarding to granting the storage of 49,000 cu. ft. of hydrogen at Silicon Transistor Corp. Mr. Hart moved to approve the issuing of this license. Mr. Markham stated that before this is approved, we should ask for an updated report because the original application came in about seven months ago and was approved by the Fire Chief then. Mr. Humphrey, Mr. Doody, Mr. Lannan were in favor of this motion, Mr. Markham opposed. Mr. Markham stated that he was not only opposed but it is not a current report from the Fire Chief, it was dated Dec. 28th, 1972. Mr. Humphrey stated that the records should indicate as part of the motion that all conditions have been met and subject to these conditions the permit is issued. Mr. Humphrey stated that the Fire Chief and also a certified engineer verified these conditions. Also, Bruce Milette of the Air Pollution Board and a Rep. of the Dept. of Labor and Industry verified these conditions.

Req. by L.W.V. to meet with Board - study of low and mod. income housing

Mr. Lannan read a letter from Mrs. Edward Maybury, Housing Chairman of the League of Women Voters requesting an appointment for an interview with the Selectmen at one of their meetings. Some of the areas of information they hoped to cover were: 1. Is there a need for a study of low and moderate income housing including subsidies and a building code? 2. What might Chelmsford's role be? 3. If the State gives us a directive, how can we respond? The Board agreed to set up a meeting as soon as possible to discuss this with the League of Women Voters.

Analysis of Road Salt

Mr. Olson, Purchasing Agent, informed the Board of some of the conclusions that were reached regarding analyzing road salt at Lowell Tech. Their conclusions were: 1. Particle fallout seems excessive at small sieve sizes. 2. Sodium chloride content seems distorted relative to moisture content. 3. Anti-cake additive has not yet been identified. Therefore, based on the above, recommendation is made that the Bd. of Selectmen authorize the testing of delivered road salt against the specifications offered by the vendor and those specified by the

Analysis of
Road Salt
(continued)

user by a commercial testing organization which will provide a certified and universally acceptable report. Total cost is estimated at less than fifty dollars. Mr. Humphrey stated that Mr. Olson made a suggestion the the Town have an independent test made by an independent laboratory. Mr. Humphrey made a motion that the Bd. of Selectmen write to the supplier of the salt regarding the salt not meeting the specifications and have them provide an independent testing laboratories report at their cost as opposed to the Town's cost. Mr. Doody seconded this motion. Mr. Markham stated that he thought the other communities involved in the consortium would probably want to participate in an independent survey. On this motion, I don't think it would fulfill any guarantee that the salt that is being tested is the salt that is being delivered to the Town. Mr. Humphrey stated it should be conditioned by that. Mr. Lannan reported that the Highway Dept. stated that in breaks down into lumps which has never happened before. Mr. Markham asked that the motion include that the Highway Dept. will provide the salt to be tested. Mr. Humphrey's motion including the Highway Dept. providing the salt to be test was unanimously passed. All members in favor.

Meeting with
Mr. Brown re:
Hick's property
located at
272 Old West-
ford Road

The Selectmen met with Mr. Brown and residents regarding the article for the 1973 Warrant where the Town would ask the Townspeople to take land on Old Westford Road. Mr. Brown stated that he had three points to make. 1. Regarding the vote that the Selectmen took to co-sponsor this article. 2. Had the Selectmen received approval from the Finance Committee to have appraisals made. 3. The enforcement of the by-law has not occurred to date. A non-conforming structure is restricted to 50% in any one year. We have got more figures since the lasttime we talked to you. Mr. Brown estimated to date that more than $625 has already been put into the property. He asked if the appraisals for taking purposes would include the improvements and if the Town does not take the land would the by-law be enforced. Mr. Brown stated that the Bldg. Permit #265 was taken out Oct. 3, 1972, and the owner had designs to go in and request a variance to build a bigger structure. The variance was denied in December, 1972. On Oct. 3rd, the only figure on record was $1,250.00 and the Bldg. Permit should have been restricted to $625.00. The Bldg. Permit was in the amount of $10,000. There hasn't been any action taken on it at all. Considerably more than $625 has been put into that structure to date. We are concerned primarily for the appraisal to establish the land for the land taking. If the Town does not take the land we should like to see the by=law enforced in this matter and we are concerned that it hasn't been enforced. Mr. Lannan stated that this was brought to his attention today. I know that Mr. Humphrey was at the property this weekend and has seen some of the goings on up there. Mr. Lannan told those present that this article will be co-sponsored by the Selectmen and that the appraisals were being made. He referred the questions to Mr. McCarthy, Town Counsel, present at this meeting. Mr. McCarthy stated that Mr. Brown was correct and the information he had received the previous Friday was wrong as it listed the value as greater. Mr. McCarthy stated that 6.1.2 has been stated very well and very succinctly by Mr. Brown. That By-Law is couched as to the structure and the improvements would be limited to $625.00. He also stated that there is no law in print. The Bldg. Insp. is the enforcer of the zoning by-laws and in his absence, the Board of Selectmen may act as one. I could find no law authorizing in case of the inability of the Bldg. Insp. I would recommend strongly that the Bldg. Insp.'s letter head be obtained and that a letter be addressed to the licensee tomorrow, and if necessary, served by Constable Spence that he is to decease and desist. I recommend that even though someone will have to go to Boston to obtain Mr. McHugh's signature. I would suggest very seriously and make arrangements to have him sign the letter and have him revoke the permit. In my last conversation with Mr. McHugh not only was I given the wrong figures but I had the wrong address. Revoke the permit on the basis that it was issued improperly originally and not in compliance with the By-law 6.1.2 and and it might be

Meeting with Mr. Brown - re: Hick's property on Old Westford Road - revoke permit

well to include this in the letter for the licensee. The Board agreed to Mr. McCarthy's suggestion. Mr. Markham stated that the action recommended by Town Counsel, although it is late, will halt future renovations immediately. Mr. McCarthy said he would take the position that the building was valued at $1,250 by the Assessors and any renovations in excess of $625 were illegal. Mr. Markham asked that Town Counsel inform the appraisors of the By-Law. He also stated that he thought it was unfortunate that the Town is finding itself in a position on this same property and he hoped that these delays did not change the value of the property. Mr. Humphrey stated that he was not here to criticize the Building Inspector, now we have to take immediate action. We are not here to put blame on anyone at this point. Atty. Peter Dowd, 16 Essex Place, asked what the Board planned to do concerning the renovation if it amounts to more than $625.00. He said that when he talked to Mr. McHugh, he was told that Hick's architect, Steve Wojcik, had gone before the Bd. of Appeals with some plans, and he was going to submit a schedule of changes that were going to be made to the Bldg. Insp. Mr. Dowd questioned if this had ever been done. He then suggested that the Board contact the owner to submit a detailed list of costs incurred and an itemized list of changes completed to date. If the changes do exceed the $625, have the Town negotiate a written agreement for no further changes of 50%. Mr. McCarthy stated that he didn't think that the Town should negotiate with Mr. Hicks at all. He also stated that he would counsel the Town not to get involved in a great big lawsuit. Mr. Dowd asked if the Town Counsel could request the Board to reconsider this if the Town does not take the land at Town Meeting. It was also stated that although Hicks filed for the original permit in October, he did not at that time own the land, but had an option to buy this land. Mr. Markham stated that the permit was issued to Mr. Wojcik and the letter be sent out will be addressed to Mr. Wojcik with a copy to Mr. Hicks. Mr. McCarthy stated that it is not unusual to have a permit taken out by an architect, there is nothing wrong with this. He is acting as an agent. He asked that a copy of this letter be sent to both Hicks and Wojcik. Mr. Humphrey stated that if Mr. Wojcik wanted to go downstairs and get a permit to alter for my property, he could. Mr. McCarthy pointed out that we have a bit of litigation over on Russell Mill Pond. That matter is being tried now. Riverside Realty Trust is not the owner of that property, but they have it under contract for purchase. As long as there is some color of responsibility or title pertaining to the land, that is the same thing. At this time, we could not get to their books, you could do that in a court of equity. Mrs. Mary Pease of the League of Women Voters referred to a letter written to the Selectmen recommending action be taken which the Board had taken this evening. Mr. Lannan stated that the Board had not received this letter. She stated that it was her understanding that there is a State Law that you have to have a toilet or water in the building. When Larson had it, there was no water. I don't think Hick's has gone that far. If that is the way the law stands, how can they be open for business. Mr. Lannan stated that the Board of Health could answer that question. Mr. Humphrey stated that we could revoke the building permit but we could not revoke plans for a septic system. He is applying to the Conservation Commission for a Hatch Act Hearing. Part of the plans involves filling in the brook behind there putting in a septic system. This hearing will have to be advertised. We could not stop him from putting in a septic system. Mrs. Pease also inquired about a huge propane tank which she stated was suspect for safety requirements. Mr. Doody requested that the Fire Chief go down and see what this was all about. Mr. Markham stated that you could find out about the septic system from the Bd. of Health. Mr. Brown asked if there was an article in the By-Law concerning the extension of the property. Mr. McCarthy stated that the Town records would show that you have an opinion concerning the gas station operated by Mr. Starr over in E. Chelms. stating that the Court has upheld the action of the Bd. of Selectmen in denying Mr. Starr's application to install additional tanks of gasoline on his property. The Court rules that the proposed tanks totaling 18,000 gallons would be an impermissible extension of the non-conforming use. It cannot be deemed to be "an increase in business" but rather is a major and substantial increase in the "plant capacity" by replacement of existing structures. There is a distinction here where that tank is above the ground. Mr. Markham stated that it is not necessarily a replacement

Hick's Property
Old Westford Rd.
(continued)

tank, if there is not a system there, it is a replacement. Mr. McCarthy stated that he would look into this, I think that it would be a distinction without a difference. Mr. McCarthy also stated that once we revoke the permit, our worries will be over and Mr. Hick's can start. Revocation will be effective upon receipt by the people. He asked that Mr. Spence deliver the letter and Mr. Doody asked that the Constable report back to the Selectmen's office.

Appoint Mr.
Verano to Bd.
of Registrars

Mr. Lannan stated that there was a vacancy on the Bd. of Registrars and we received applications for this position. The names of the applicants were: Francis Goode, Edward McCaffrey, Gail A. Murray, Benedetto J. Verano, Edmund J. Welch. Mr. Humphrey moved that all those names be placed in nomination, Mr. Markham seconded this motion. All in favor, so voted. Mr. Humphrey moved for Mrs. Murray, 25 First St., and stated that Mrs. Murray has been a representative of this Board in Precinct I for some time and this would bring experience to the Registrars and even up the make-up of the Board. Mr. Markham stated that before voting, it should be pointed out that this is only to fill out the term of Mr. Emerson and this should be effective immediately because the Bd. of Registrars has work tomorrow evening. Mr. Hart moved in favor of Mr. Verano, Mr. Humphrey moved in favor of Mrs. Murray, Mr. Doody moved in favor of Mr. Verano, Mr. Markham moved in favor of Mr. McCaffrey, Mr. Lannan moved in favor of Mr. Verano. Mr. Humphrey moved to make it a unanimous vote for Mr. Verano, Mr. Markham seconded the motion. It was requested that Mr. Verano be notifed and that he should report to work tomorrow night. In answer to Mr. Markham, Mr. Lannan stated that Mr. Verano is a reg. Democrat.

Vote to hold
on appointment
to Cons. Comm.

Mr. Lannan stated that there is a vacancy on the Conservation Commission. We have one letter of application from Mrs. Richard McCarthy. Mr. Hart moved that we hold this appointment, Mr. Humphrey seconded the motion. Mr. Markham stated that there is a brief summary of another person's qualifications, I feel that we have sufficient qualified talent to make a selection. Mr. Hart, Mr. Humphrey, Mr. Doody, Mr. Lannan, in favor of holding this appointment, Mr. Markham opposed. The motion passed, 4 in favor, one opposed.

Resolution for
POWS

Mr. Lannan noted that several POWS had just been released that day and it is thought that two men from Chelmsford will be released soon. The Selectmen agreed to ask the Town Celebration Committee to compose a resolution and to prepare for a tribute in their honor. The Selectmen agreed to Mr. Markham's statement mentioning that we do not do this prematurely. He hoped that these people returned safely. Mr. Lannan stated that the welcome home would be for the day he actually arrived in Chelmsford. The Press were requested not to print this.

New Business

Mr. Humphrey requested the Board to ask the Fire Chief to make a complete report on the fire apparatus which was located behind the Westford Street station. It already had two tires missing. Mr. Markham agreed to this report but commented when he had noticed this vehicle, he had asked the Fire Chief and was told that it was no longer needed by the Town and was one of the items listed for disposal at Town Meeting. Mr. Humphrey still wanted this report.

Meeting
adjourned

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 9:30 P.M.

For the Board of Selectmen,
by,

Marion E. McCreary

Regular Meeting of the Board of Selectmen, held February 21st, 1973, commencing at 7:30 P.M.

Members Present

Mr. Lannan, Chairman, Mr.Humphrey, Mr. Hart. Mr. Markham arrived at 8:10 P.M. Mr. Doody was not present due to the fact he was away on business. Mr. Lannan presided. Mrs. Haines, Adm. Assist. was also present.

Members of the Press Present

Members of the press present were:
Chelmsford Newsweekly, Mrs. Ann Marie Kierce
Chelmsford Sentinel, Mr. Jerry House
Lowell Sun, Mr. Gus Webster

Opening of bids for baseball equip. for Conservation Commission.

Mr. Lannan opened the bids for baseball equipment for the Recreation Commission. Two bids were received; one from Medford Square Sporting Goods in Medford, Mass., in the amount of $6,805.85; and one from Lull and Hartford in Lowell, Mass., in the amount of $7,241.90. Mr. Quinn of the Recreation Commission was present at the meeting. No action was taken on these bids at this time.

New Engl. Tel. & Tel req. permission for buried cable at Cove St.Ext. & Dawn Drive.

Mr. Lannan read a petition received from the New England Telephone and Telegraph Company requesting permission for buried cables at Cove Street Extension, from Dawn Drive northerly, approximately 771 feet of buried cable and three pedestals, and at Dawn Drive from Golden Cove Road easterly, approximately 1024 feet of buried cable and five pedestals. Mr. Casey, Right of Way Agent attended the meeting. It was noted that all the abutters had been notified of this hearing. Mr. Hart made a motion to grant permission to the New England Telephone and Telegraph Company, seconded by Mr. Humphrey. It was so voted unanimously.

Bids to be opened at 8:00 P.M.

Mr. Lannan then stated that at 8:00 P.M. the opening of bids would take place for Ambulance Service, Public Bus Transportation, Workmen's Compensation and Employee's Liability Insurance, Five Police Sedans, One Fire Department Sedan, and Highway Department Equipment.

Request of Alpine Lanes to hold bowling tournament: 4/1; 4/8; 4/15; & 4/29/1973

A letter was received and read by Mr. Lannan from Mr. George Hedrick of Alpine Lanes, stating that they have been awarded the Merrimack Valley Junior Bowling Association Tournament to be held in April. The request was for the following Sunday openings; at 8:00 A.M., April 1st, 1973, April 8th, 1973, April 15th, 1973, and April 29th, 1973. This would allow the junior bowlers to participate in the tournament and only the junior bowlers entering this tournament would be allowed to bowl before 1:00 P.M. Mr. Hart made a motion to grant Alpine Lanes this request, with a second by Mr. Humphrey. Mr. Humphrey stated that he was only concerned with the activity and that it not be open to the public. It was so voted unanimously to grant this request.

Chief Reid report on apparatus at West Chelms. Fire Station

Mr. Lannan read a letter received from Chief Reid of the Fire Department in answer to our letter asking for a report on the apparatus at the rear of the West Chelmsford Fire Station. Chief Reid stated in his letter that this vehicle was used as a rescue truck for fifteen years, and now mechanical conditions and difficulty in obtaining parts makes it no longer economical to be used as an emergency truck. Any equipment of any value has been removed. Chief Reid requests to dispose of this as surplus equipment. He also stated that a brush truck that had been purchased in 1970 has been converted to be used as a rescue truck.

Mr. Lannan read a letter received from Rep. Bruce Freeman regarding redistricting of Chelmsford. Rep. Freeman stated he was in opposition to having Chelmsford redistricted, but since the Supreme Court ruling that the norm is 22,064 for each representative seat, and the census for Chelmsford shows a population of 30,000 (1970) Census, Chelmsford is over 8,000 norm, and so must be redistricted to comply with the mandate of the Supreme Court. The concern of Rep. Freeman is that Chelmsford not be cut up in four sections, and end up without a representative from the Town. Rep. Freeman stated he will do everything in his power to keep Chelmsford intact. No comment was made from the Board regarding this letter.

Letter from Rep.Freeman regarding redistricting of Chelmsford.

Mr. Lannan read a letter received from Senator Ronald MacKenzie regarding the redistricting of Chelmsford. The prime concern of Senator MacKenzie, when this bill comes before the Senate, would be that Chelmsford at least have one total representative, and also that Chelmsford not be split four ways.

Sen. MacKenzie letter reg. redistricting of Chelmsford.

Mr. Lannan read a letter received from Mr. Kevin B. Harrington President of the Senate, in answer to the Boards letter that was sent to Rep. George Keverian, regarding the redistricting of Chelmsford. Mr. Harrington stated he had no comment at this moment. Mr. Hart stated that there aren't enough people in Lowell to justify having four representatives, and he felt the State was looking for people to give to these representatives. He also stated if they take some of the population away from Chelmsford, will they take the same away from Billerica. Mr. Humphrey stated that he felt that one representative could ably serve the people. Mr. Hart felt that Chelmsford be kept as one, and one representative for the people.

Kevin B. Harrington, Pres.of Sen. reg: redistricting of Chelmsford.

A letter received from Mr. Donald J. Butler was then read by Mr. Lannan. Mr. Butler stated that although he is no longer with the Police Department, he has sixteen vacation days still owed to him. He is now asking for the Boards decision on this matter. Mr. Hart stated it was a legal matter and should be referred to Town Counsel. Mr. Humphrey said he felt it should not be referred to Town Counsel, but rather the letter be sent to the Personnel Board, and ask them for their interpretation and then abide by their decision. Mr. Lannan was in favor of receiving Town Counsel's opinion. It was then decided to send a copy of Mr. Butler's letter to Town Counsel and also to the Personnel Board for their opinions.

Letter from Donald J. Butler reg: vacation days due him when he was on Police Dept.

Mr. Lannan read a letter received from Mrs. Mary Pease, President of the League of Women Voters regarding the building permit that was issued to Robert Hicks to enable him to alter the Gulf Station on Old Westford Road at School Street to the extent of $10,000. Mrs. Pease stated that the Town by-law states that the Town by-law states that a nonconforming

League of Women Voters ltr. reg: Gulf Sta. on Old Westford Road. (Hicks) structure may not in any one year be altered or reconstructed if the cost of alterations exceeds 50% of the replacement value of the structure at the time of the change. The records in the Assessors Office show that the structure is valued at $1,250. It is now asked that the Building permit be revoked. Mr. Lannan stated, after reading Mrs. Pease's letter, that the permit has been revoked and is in the hands of the Building Inspector.

Letter reg: poor facilities at playground on Old Westford Road.

Mr. Lannan read a letter received from Mrs. Clarice I. Hodgson of 297 Old Westford Road. This letter was addressed to the Board of Selectmen and also people involved in PARC. Mrs. Hodgson strongly suggests that conditions be improved and enlarging the playground on Old Westford Road. She also states that parking facilities are inadequate when Little League is playing. Children have been injured due to broken glass on the playground, and there are no toilet facilities. Mrs. Hodgson also states that the service station on the property is far less a menace to the children. This station has been there over forty years, and has serviced many people. It is Mrs. Hodgson's suggestion that the PARC group clean up the field, put in adequate parking facilities and rest rooms, so the children may play there. Mr. Hart stated her problems would be alleviated by submitting an article in the warrant for Town Meeting, and suggested a letter be sent to her telling her of this. Also, Mr. Hart said that Mrs. Hodgson be told that the Recreation Commission is in charge of this.

PAPER PICK_ up.

Mr. Lannan then reminded the Board that the week of February 26th, 1973 will be for the paper pick up.

Town's cost for County Hospital.

A letter was received from the County Commissioners to the Town of Chelmsford stating the towns proportion of the cost of maintenance, operation, and repair of the Middlesex County Hospital for 1972; the amount being $14,970.43, payable into the County Treasury on or before the first day of April, 1973.

Bids opened for Ambulance Svce; Public Bus Transp.; Workmen's Comp. & Employees Liab. Ins.; 5 Police Sedans 1 Fire Sedan &Hgway. Equip.

At 8:00 P.M. Mr. Lannan stated that bids would be opened for Ambulance Service, Public Bus Transportation, Workmen's Compensation and Employee's Liability Insurance, Five Police Sedans, One Fire Department Sedan, and Highway Equipment.

1. Public Bus Transportation: (1) bid received from Marinel Transportation Inc.
   - (a) Bus Service from Chelmsford Center to Kearney Square and return - $22,700.00
   - (b) Alternate Bid for Bus Service from East Chelmsford to Kearney Square and return - $9,000.00
   - (c) Total amount for Service for both is $31,700.00
2. Workmen's Compensation and Employee's Liability Insurance: (3) bids received:
   - (a) Norcross & Leighton, Inc.: $60,755.00
   - (b) Muldoon Agency, Inc.: $45,578.00
   - (c) Picken Insurance Agency, Inc.: $60,768.00
3. Five (5) Police Sedans: (1) Bid received.
   - (a) Peter Hallissy Chevrolet, Inc.: $15,996.00 (plus one 1971 Chevrolet and three 1972 Chevrolets as trade-ins.)
4. One (1) Fire Department Sedan: (1) Bid received
   - (a) Peter Hallissy Chevrolet, Inc.: $2,849.00 (plus one 1969 Ford as trade-in.)

Highway Department Equipment

5. One (1) 1/2 ton Pickup Truck: (5) Bids received.
  (a) Peter Hallissy Chevrolet, Inc.: $2,355.00 (plus one 1969 Ford Pick up trade in.)
  (b) Jim Peirce's Ford World: $2,175.00 plus one pickup
  (c) Cunningham's Garage, Inc.: $2,300.00 (plus one pickup trade in.)
  (d) Murray Kaiser Ford Sales, Inc.: $2,300.00 plus trade in.
  (e) McDougall G M C Truck Center, Inc.: $2,900.00 plus trade in.

6. One (1) Low Bed Trailer (21 ton capacity): (3) bids received.
  (a) Schertzer Sales Corp.,: $4,082.00
  (b) State Equipment Corp.: $4,180.00
  (c) Eastern Mass. Equipment & Rental Inc.: $4,357.00

7. One Reversible Snow Plow - (2) Bids received.
  (a) H & L Snow Plows: $1,839.67
  (b) Casey & Dupuis Equipment Corp.: $3,453.00

8. Two Snow Plows: (3) Bids received.
  (a) H & L Snow Plows: One plow, $864.37 - Two plows,$1,656.43
  (b) H. F. Davis Tractor Company: $1,690.00 (2 Plows)
  (c) Casey & Dupuis Equipment Corp.: $1,946.00 (2 plows)

Bids for Highway Dept. Equipment.

9. One Truck Cab Chassis for Waste Collection: (4) Bids received
  (a) Jim Peirce's Ford World: $6,100.00
  (b) Cunningham's Garage, Inc.: $7,480.00
  (c) Cote Motor Co., Inc.: $6,325.00
  (d) Murray Kaiser Ford Sales, Inc.: $6,250.00

10. One Packer Body for Waste Collection: (2) Bids received.
  (a) Gar Wood - Boston Truck Equipment, Inc.: $7,000.00
  (b) Casey & Dupuis Equipment Corp.: $8,000.00

11. One Truck Cab Chassis, Min. G.V.W. 27,500 Lbs.: (5) Bids received.
  (a) Cote Motor Company, Inc.: $8,696.00
  (b) Cunningham's Garage, Inc.: $8,215.00
  (c) McDougall G.M.C. Truck Center, Inc.: $8,700.00
  (d) Murray Kaiser Ford Sales, Inc.: $8,890.00
  (e) Jim Peirce's Ford World,: $8,628.00

12. One Dump Truck, Min. G.V.W. 21,000 Lbs.: (4) Bids received
  (a) Cote Motor Company, Inc.,: $15,100.00
  (b) Jim Peirce's Ford World: $14,907.00
  (c) Murray Kaiser Ford Sales, Inc.: $15,025.00
  (d) Cunningham's Garage, Inc.: $14,746.00

13. One Dump Truck, Min. g.v.w. 34,000 Lbs.: (5) Bids Received
  (a) Cote Motor Company, Inc.: $6,400.00
  (b) McDougall G M D Truck Center, Inc.: $7,471.34
  (c) Jim Peirce's Ford World,: $6,066.00
  (d) Cunningham's Garage, Inc.: $6,300.00
  (e) Murray Kaiser Ford Sales, Inc.: $6,350.00

14. One Truck Csb Chassis 27,500 lbs. to mount Hydraulic Aerial Device and Chip Body: (5) Bids received.
  (a) Jim Peirce"s Ford World: $8,722.00
  (b) Cunningham's Garage, Inc.: $8,995.00
  (c) Murray Kaiser Ford Sales, Inc.: $8,825.00
  (d) Cote Motor Company, Inc.: $8,975.00
  (e) McDougall G M C Truck Center, Inc.: $9,784.59

15 Hydraulic Aerial Device and Chip Body: (1) Bid received.
  (a) Stedt Hydraulic Crane Corp.: $19,980.00

The Bid for Ambulance Service was then opened. There was one bid from American Ambulance Service, Inc., submitted as follows:

From July 1, 1973 to June 30, 1974	-	$9,000.00
From July 1, 1974 to June 30, 1975	-	$9,000.00
From July 1, 1975 to June 30, 1976	-	$10,000.00
Total:		$28,000.00

The Board then decided after all the bids had been opened, to take all bids under advisement.

Bill to create
advisory bds.
in each
county.

A questionaire on County Advisory Board was received from the House of Representatives, regarding a bill that was introduced which proposes to create county advisory boards in every county, except Suffolk and Nantucket. The cities and towns would have voting representation based on the population of the county bill it must pay. Mr. Lannan asked that each member of the Board receive a copy of this questionaire for their study.

Letter reg:
old school
house at
Forefathers
Cemetery.

A letter was received from Miss Janet Lombard and read by Mr. Lannan stating the Historical Society has asked Miss Lombard to contact the Selectmen regarding the old school house at the Forefathers Cemetery. It was proposed to use the building as an office through the bicentennial. The Historical Society is most anxious to keep it as a historical site.

Info. reg:
key to canal
tollhouse in
Forefathers
Cemetery.

Mr. Lannan read a letter from Mr. William H. Drury, Chairman of the Chelmsford Historical Commission asking for information on the small canal tollhouse in Forefathers' Cemetery. It was the understanding of Mr. Drury that the Selectmen had the key to this structure. Mr. Lannan stated that the key would be with Mr. Gray of the Park Department.

Request to
use Town
Seal on
certain items
to be sold
by Historical
Society.

A letter was received and read from Mr. Richard O. Lahue, President of the Chelmsford Historical Society requesting permission to use the Town Seal on certain articles to be sold by the Society, and the profits derived from these sales would be used for the advancement of the Barrett-Byam Homestead and Museum. The items that would be marked would be a pewter tankard and a six-inch pewter plate. Mr. Lannan asked the Board if they were willing to grant permission of this request. Mr. Hart made a motion to grant the request of the use of the Town Seal by the Historical Society, with a second to the motion by Mr. Humphrey. It was voted unanimously to grant this request.

Request for
56 extra
tellers for
Town Election

Mr. Lannan read a letter received from Town Clerk, Mrs. Mary St.Hilaire requesting permission to put on fifty-six (56) extra tellers to work from 8:00 P.M. to 12:00 midnight on March 5th, 1973, Town Election. Mr. Hart made a motion to grant Town Clerk her request, seconded by Mr. Humphrey. It was so voted to approve the request.

Report of
1968 & 1972
Election costs
for workers.

A letter was received from Mr. Edward H. Hilliard, Chairman of the Board of Registrars comparing the 1968 and 1972 Presidential Election Costs. In the 1972 Presidential Election all but one precinct finished counting by 2:00 A.M. Money was not saved but the work was completed more quickly.

Request
Town Counsel
to attend
mtg.on 2/22/73

A letter was received from Mrs. Pauline Crowell asking that the Building Inspector be present at the meeting with the Board of Selectmen and the County Commissioners on February 22, 1973 at the Chelmsford High School. Mr. Lannan asked the members of the Board if they felt that Town Counsel should also be present at the meeting. Mr. Markham stated that Town Counsel had been asked to be present. It was then decided to have Town Counsel attend.

Permit to store propane gas - Hicks property

Mr. Lannan stated the information received from Fire Chief Frederick Reid stating he issued a temporary permit to store propane gas on January 22nd, 1973 at the Hick's property Old Westford Road,

Letter reg: spraying programs in Town.

Mr. Lannan then read a letter received from Dr. Ethel Kamien of the Chelmsford Environmental Advisory Council regarding the spraying programs performed by the Moth Department and Dutch Elm Control Department. Enclosed with the letter were copies of the guidelines for municipal tree spraying. The Council's recommendation is that the Selectmen request the Moth and Dutch Elm Disease Superintendent furnish the Selectmen and CEAC with a detailed proposal of the planned spraying program for the 1973 season in advance of any work done. It was stated by the Board that the Town will not appropriate money for the spraying. No comments were made by the Board regarding this letter.

letter reg: erection of fence at Byam School

Mr. Lannan read a letter received from Town Counsel, Atty. Clement McCarthy regarding the Byam School fence. The decision of the Department of Public Utilities concerning the fence petition was against the Town. The opinion of the hearing officer was that the erection of a fence would not deter school children from breaking through or tunnel under the fence along the tracks. The Department of Public Utilities also stated they did not have the statutory authority to order the railroad or any interested party to assume the erection of the fence. Mr. McCarthy stated he has sent a copy of the decision to the Superintendent of Schools, Mr. Rivard. Mr. McCarthy stated that he would not recommend an appeal in this matter. There was no comment made on this letter, by the Board.

Police Report reg: traffic on Dalton Rd. & Steadman St.

Mr. Lannan read a letter received from Sgt. Leslie Adams of the Chelmsford Police Department regarding the through-traffic on Steadman Street and Dalton Road. Sgt. Adams stated in his letter that they agree with the Town Counsel's opinion that Dalton Road can be restricted by the Board of Selectmen, but Steadman Street would be a different problem. They had consulted with the Highway Superintendent and the opinion was that no alternate route could be set up, in lieu of using Steadman Street. Any possible route set up would require using the streets of Lowell. It is their opinion that this would be illegal and would not be approved by the Department of Public Works. The recommendation was that a by-law be set up to restrict trucking on Dalton Road - from Route 4 North Road to Route 110 Chelmsford Street, therefore recommending no action be taken on the Steadman Street petition. Mr. Lannan asked if any action is to be taken by the Board now, and Mr. Markham asked that a copy of Sgt. Adams letter be sent to Town Counsel for his legal opinion.

A letter was then read by Mr. Lannan received from Mrs. Ina B. Greenblatt Chairman of the Environmental Advisory Council giving a report on the first newspaper pickup which has been completed.

Report of paper pick-up from Envir. Advis. Council

Total Weight: 24,150 @ $8.00 Ton - $96.60
Saving on incineration fees - 90.00
Total saving & credit to town $186.60

Mrs. Greenblatt stated also that this was accomplished with little expense to the town since all the employees engaged in this pick-up were on regular duty. Due to the storm on January 29th, 1973, two extra men were employed on Saturday for four hours. The only extra cost was the two extra laborers and a small cost of running two trucks. Mr. Hart stated he felt it was an extra expense for the men doing this work; they are taken away from their other duties in order to do this work. Mr. Lannan stated that we cannot determine if it will be successful for it is still too early. But as of now, it seems to be successful. Mr. Hart stated it is an additional expense if you do additional work.

Letter from Off. of the Secty. of Treasury reg: tax reduction under revenue sharing prog.

Mr. Lannan read a letter which was received from Mr. Jeffrey H. Schiff, Office of the Secretary of the Treasury regarding the tax reduction under the revenue sharing program. The letter stated that the formula for allocation of funds under the revenue sharing program takes several factors into account - such as addition to population, the general tax effort and the relative income factor of the local government. The General tax effort factor for a unit of local government for any entitlement period is the adjusted taxes of that unit of local government divided by the aggregate income attributed to that unit of local government during the most recent reporting year. The Bureau of Census has plans to annually survey the local revenues which are used for determination of allocations under the revenue sharing program. It was also stated that an absolute decrease in local adjusted reveneu would not necessitate a decreased allocation under this program. Only a decrease which adversely affects the relative revenue position of a unit of local government is a vis all other similar units within the same county could account for a lesser revenue sharing grant. The difficulty of estimating the effect which the reduction in taxes of one municipality would have on its allocation is quite discernable. The determining factor would be what every other municipality in the county did to its tax structure over the same reporting period. The question regarding financial administration should be noted that under this program, local priorities are to be established and justified at the local level. The decision whether a specific activity could be classified as financial administration is a matter for local officials to resolve.

Resignation of Clerk form Precinct 11.

A letter of resignation was received from Mrs. Dorothy Adamczyk, Election Officer Clerk for Precinct 11, and was read by Mr. Lannan. On a motion made by Mr. Hart, seconded by Mr. Humphrey, it was so voted unanimously to accept Mrs. Adamczyk's resignation. It was suggested that a letter of appreciation be sent to Mrs. Adamczyk.

A lengthy discussion took place regarding the appointing of the Ambulance Advisory Committee. Mr. Hart made a motion to recind the vote taken by the Board on December 27th, 1972, to have the Moderator appoint,and replace the appointing authority with the Selectmen. Mr. Humphrey seconded the motion. Mr. Markham commented on this motion saying that the Board should have discussed this publicly, which it didn't, and that Town Counsel had changed the wording of the article without written instruction from the Board to do so. Mr. Markham stated he was opposed to the Selectmen making the appointments instead of the Moderator. Mr. Humphrey stated the Selectmen should be the appointing authroity, and he agreed with the article. Mr. Humphrey stated that he was not present when the first motion was made but after he had heard about it he questioned sy the authority of the Selectmen would be delegated to the Moderator. He then asked Mr. Markham if he had faith in the Board of Selectmen and in the future Board. Mr. Markham replied that he did have faith in the Board but why was the Board against having the ambulance study done by a committee chosen by the Moderator. Mr. Lannan stated that the article was discussed with the Finance Committee and it was pointed out that a private ambulance service would cost the town between $65,000 and $70,000 a year. Mr. Hart stated he felt he had voted in the best interest of the townspeople. Mr. Humphrey again asked Mr. Markham if he had faith in this Board, to which Mr. Markham replied in relation to the ambulance service, he did not. Mr. Markham stated that the Board had received bid information on the American Ambulance Service before any bids were formally opened and he questioned this procedure. A vote was taken with Mr. Lannan, Mr. Hart, and Mr. Humphrey voting for the rescinding and replacing the authority to appoint with the Selectmen. Mr. Markham opposed. The vote then was three in favor and one opposing.

Discussion
regarding
the authority
of either
Moderator or
Bd. of Sel.
to appoint
Ambulance
Study Comm.

Mr. Lannan read a letter from Mr. John J. Balco, Chairman of the Conservation Commission, informing the Board that Mrs. Lorraine Shea will be resigning from the Conservation Commission. Three people, Miss Janet Lombard, 10 Bridge Street; Mrs. Ann McCarthy, 26 Summit Avenue; and Mr. Charles Feeney, 18 Windsor Street, would like to be considered to fill the vacancy. Mrs. McCarthy and Miss Lombard had submitted resumes to the Board. Mr. Hart asked that the resume of Miss Lombard be read, which Mr. Lannan did. Mr. Hart then made a motion that the vacancy be filled by Miss Janet Lombard, which was seconded by Mr. Humphrey. Mr. Markham asked that the resume received from Mrs. Ann McCarthy be read, which Mr. Lannan did. Mr. Markham then asked to make a motion to appoint Mrs. McCarthy to fill the vacancy, but was told that the motion had already been made in favor of Miss Lombard. It was voted to appoint Miss Lombard to the Conservation Commission, by a vote of three in favor of the appointment with one vote opposing the appointment.

Appointment
made to
Conservation
Commission
due to resignation of
Lorraine Shea

Mr. Lannan then read a notice stating that there were vacancies in Precincts. These appointments are to be made for the Election March 5th, 1973.

Precinct 1 - Vacancy for Inspector: Judith E. Provencal, 82 Boston Road; Mr. Hart made a motion to accept Mrs. Provencal, seconded by Mr. Humphrey. It was so voted.

Precinct 3 - Vacancy for Deputy Inspector; Gwendolyn Makepeace, 8 Aberdeen Road; Mr. Hart made a motion to accept Mrs. Makepeace, seconded by Mr. Humphrey. It was so voted.

Vacancies
in Precincts
to be filled.

Precinct 3 - Vacancy for two inspectors: Mrs. Rita P. Barry, 27 Berkeley Drive and Mrs. Lorraine C. Anderson, 100 Main Street: Mr. Hart made a motion to accept Mrs. Barry and Mrs. Anderson, seconded by Mr. Humphrey. It was so voted.

Continued - Vacancies in Precincts to be filled.

Precinct 8: Vacancy for two inspectors: Mrs. Katherine F. Mulgrew, 9 Fairbanks Road, and Mrs. Dolores E. McGuire, 25 Walnut Road: Mr. Hart made a motion to accept Mrs. Mulgrew and Mrs. McGuire, seconded by Mr. Humphrey. It was so voted.

Precinct 12 - Vacancy for two Deputy Inspectors: Mrs. Delia Loiselle,190 North Road. Mr. Humphrey made a motion to accept Mrs. Loiselle, seconded by Mr. Hart. It was so voted. Mrs. Elizabeth Harrison, 5 Latch Road; a motion was made by Mr. Hart, seconded by Mr. Humphrey to accept Mrs. Harrison. It was so voted.

Precinct 11 - Due to the resignation of the Clerk for Precinct 11 it was suggested that Margaret M. Fletcher, who is now Deputy Clerk be moved up to Clerk, and the replacement for Deputy Clerk be Mrs. Alice M. Fielding. Mr. Hart made a motion to accept the following change, seconded by Mr. Humphrey. It was so voted.

Meeting time changed for 2/26/73

Mr. Lannan then made the announcement that the regular meeting of the Board of Selectmen would commence at 7:00 P.M. on Monday, February 26th, 1973, instead of at 7:30 P.M.

Schedule dates for Annual Town Meeting.

Mr. Lannan then announced that there was a meeting of the Finance Committee, where they stated that Town Meeting will begin on Monday, March 12, 1973 and be scheduled for Tuesday, March 13th, Wednesday, March 14th, and Thursday, March 15th. If not completed by Thursday, adjourn to the following Monday, March 19th, 1973.

Board to meet Mar. 5 reg. mtg: Mar. 6. Organ. purposes.

Mr. Lannan announced that the regular meeting of the Board of Selectmen will be held March 5th, 1973. The Board would also meet on Tuesday March 6th, 1973 for organizational purposes.

Mr. Lannan then asked the Board if they had any new business. Mr. Hart and Mr. Humphrey stated they did not have any new business.at this time.

New Business.

Mr. Hart and Mr. Humphrey, no new business. Mr. Markham stated that regardless of any four to one vote, he would vote in behalf of the citizens of the Town. He stated he hoped the Town would elect a new Board that would improve the image of the Board in representing the Town.

Mr. Lannan asked the Press if they had any questions to ask the Board. Several Questions were asked and answered by the Board.

Mr. Hart made a motion to adjourn the meeting, seconded by Mr. Humphrey. It was voted unanimously to adjourn the meeting at 10:05 P.M.

For the Board of Selectmen,
by

Street Acceptance

Meeting held February 22, 1973 at 7:30 P.M. regarding Street Acceptance. Present at the meeting were Mr. Gerald J. Lannan, Chairman, and Mrs. Evelyn Haines, Adm. Assist.

Objections regarding Sleigh Road

Sleigh Road: Mr. William C. Lavery, 33 Sleigh Road; temporary circle between Sleigh Road and Sleigh Road Extension. Mr. Lavery lives in the last house on the right. Bond released $20,000. Mr. Lavery stated that Mr. Hicks has been contacted several times by myself and my wife about correcting existing turnaround which was supposed to have been straightened out by Mr. Hicks sometime ago. This turnaround poses many problems to me as a home owner: 1. poor snow removal; 2. property flooded with water in springtime; 3. Mail man unable to deliver mail; 4. Police Department has tagged my car parked in front of my own house. Mr. Lannan said a letter will be forwarded to Mr. Hicks asking what will be done to correct this problem. Mr. Hussey of 33 Carriage Road, stated when builders built streets and put in drainage, it left something to be desired. Catch basins are caving in 1½' on old portion of Sleigh Road. Mr. Charles F. Brutto, 47 Sleigh Road stated the drain in front of his house has caved in.

Green Way No objection

Green Way - No objections

Percheron St No objection

Percheron Street - No objections

Overlook Drive

Overlook Drive: Mr. Lannan stated that the Highway Superintendent and Town Engineer had informed him that work has to be done on Overlook Drive to bring the street within town requirements in order that the street may be accepted. There presently exists a drainage problem and also a finish coat of oil and sand or bituminous concrete is necessary. Mr. Richard Harrington asked that street lights be installed on the street. Mr. Lannan requested he forward a letter to the Board of Selectmen giving pole numbers of every second or third pole. Mr. Peter Markham, 33 Overlook Drive, Lot 57, stated there is no curbing in front of his house. The water doesn't run into the catch basin, but runs along his property washing away loam.

Thomas Drive

Thomas Drive: Mr. Joel Pasternak, 38 Thomas Drive stated cars speed through the street. There are a large number of children living in the area and there are no signs on the street to slow down the cars. Mr. Lannan stated that the Police Chief would be asked to survey and make recommendations on the installation of "Slow Children" signs. When recommendations are received, the Highway Superintendent will be asked to install these signs as soon as possible. Mrs. Melanson, 4 Thomas Drive, requested a street light in front of her home.

Mtg. Adjourn

The meeting adjouned at 8:30 P.M.

For the Board of Selectmen,
by, Evelyn M. Haines

Meeting of the Board of Selectmen held February 22nd, 1973 at 7:30 P.M. at the Chelmsford High School.

Members present

Members present were Mr. Paul Hart, Mr. Thomas Markham, Mr. Gerald Lannan, Chairman. Mrs. Evelyn Haines, Adm. Assist. was also present. Mr. Lannan and Mrs. Haines arrived at 8:45P.M. due to a previous meeting.

Meeting at Chelmsford High School regarding SHARE

Persons present at this meeting were Mr. Paul Tsongs, County Commissioner; Mr. Eugene Bernstein, Counsel for Share; Mr. Lester White, President of Share; Mrs. Marcia Mason, Director of Anabasis House; Atty. Clement McCarthy, Town Counsel; Atty. John McArdle, Assistant to Town Counsel. Mr. Paul Hart, Vice-Chairman conducted the meeting due to the fact that Mr. Lannan was attending another meeting. Mr. Markham asked the Commissioner, Mr. Paul Tsongas what expenditures would be necessary to repair Reed Cottage so it would be usable by Share. Mr. Tsongas stated that plans had been changed and that Share would now be housed in the Gould Cottage, the reason for the change was that the Training School would be closed the following day. The suggested uses to date had been Share, Police Training School, a Half Way House for the Elderly, Chelmsford School Administration Offices, Camp Paul, and a Learning Disability Center. Share needed immediate facilities because St. Joseph's Hospital is in need of their presently occupied facilities. Reed Cottage needed $20,000 in repairs where Gould Cottage could be made liveable with an expenditure of only $8,000. Gould Cottage would be ready for use, and Share needed immediate facilities. Share's President, Mr. White, stated Share was a non-profit community organization supported and controlled by seven communities, with each community having two representatives on the board. Mr. White stated Shares purpose is to better equip young people to take their place in society and cure the ills that society has created. Anabasis House is the therapeutic community of Share. It is a drug free program where young people on drugs, and wishing help may go. They are free to go when they wish, but once they leave, they are out of the program. Anabasis House works on a family type structure with the older residents having more privileges and assisting the professionsl help with the younger residents. Mr. White also stated that Share has a drug clinic in Lowell where withdrawal is done, with counselling and education services. Share's budget is $500,000. of which $125,000. is from the State Department of Mental Health; $260,000. from the Federal Department of Mental Health, and the remaining from the seven communities.
Atty. McCarthy brought up the question of zoning and if the present RB (Single Residence) allowed such a facility. He also stated that the permitted use in this district was single family dwellings. Hospitals, and certain public and semi-public institutions may be allowed if a special permit is received from the Board of Appeals. Any county facility would not be subject to the zoning by-laws if it was exercising a government function. Mr. McCarthy stated in his opinion Share would be subject to this by-law. There may be an exception if Share is classified as a teaching group, or if Share may qualify as definition of family. The description of single family is any number of individuals living and cooking together in a single unit.
Atty. Bernstein stated that Share because of its structure, constitutes a family.He stated the decision would be made by the County Commissions, Selectmen, Town Counsel, Share and the court. Commissioner Tsongas stated he would do research on this. A resident of North Chelsford, Mr. Roland Bousquest asked if the change in buildings would mean the number of residents would be increased. He was told it would not, that the number would remain at a maximum of 40. He then asked the Commissioner what the rules would be of Anabasis House, and he was told the Commission would observe the facilities very closely and their lease renewal would depend on their actions.

(Continued)

Meeting regarding SHARE

Mr. White stated there were 18 house rules. He listed them, and the main theme was no drugs or chemicals allowed on the premises, no visitors under the influence, no internal possession, spot checks, no violence, check on all visitors, no outside contact for 30 days, search on entry, spliters not allowed in residence, all must attend therapeutic sessions. Mr. Tsongas stated he would be glad to meet with the neighbors to see what restrictions they would like to see placed on the house. A Share Board member, Mr. Fred Monitque, asked if a neighbor moved in next door what assurance would you have as to how they would live. He stated that Share was a family and that Share received money from Chelmsford and it would be important for them to operate as a good neighbor. Another resident, Mrs. Mary Moray stated that her relatives lived in Lowell in the vicinity of the present Anabasis House and there were never any problems. Mrs. Elmer Crowell a North Chelmsford resident., accused the group of tolerating common-law living and not being sufficiently staffed, and she did not want her children to be with those children. Another resident, Mrs. Sadowski stated where Anabasis House started in Lowell, it should stay there. Dr. Stephen Brovender then spoke in behalf of Anabasis House, stating that of the 14 licensed organizations in the U.S.A., Share was one. Miss Marcia Mason, Director of Anabasis House, stated she had her Masters degree in counselling psychology, and working with her are two staff trainees backed up with medical and psychological help. The facilities are never left unstaffed and from 9:00 A.M. to 5:00 P.M. there are five staff members present. A resident whose son was on drugs, spent 19 months at Anabasis House. She said her son is now in college and he plans to devote his life to helping teenagers as he had been helped. A resident of the house asked that Anabasis House be allowed to come to Chelmsford, and there is no common living. Commissioner Tsongas agreed to meet with the abutters to discuss a set of rules they would like to be placed on Anabasis House by the Commissioners. He also stated that when the rules were established, and if they are abused, any resident may call him personally.

Meeting adjourned at 9:45 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Jurors drawn

List of Jurors chosen by Mr. Gerald J. Lannan on February 26, 1973.

1. Kenneth D. Stumpf, 56 Old Stage Road, Lowell Superior Court
2. Michael J. Popolizio, 226 Riverneck Road, Cambridge Superior Court
3. Robert J. Taylor, 10 Courtland Drive, Cambridge Superior Court

Regular meeting of the Board of Selectmen, held February 26th, 1973, commencing at 7:00 P.M.

Members present.

Members present: Mr. Lannan, Chairman, Mr. Hart, Mr. Humphrey, Mr. Doody (arrived at 7:30 P.M.), Mr. Markham, (arrived 7:30 P.M) Mrs. Evelyn Haines, Adm. Assist.was also present. Mr. Lannan persided.

Members of the press present.

Members of the press present:
Chelmsford Newsweekly: Ann Marie Kierce (arrived 7:35 P.M.)
Chelmsford Sentinel: Gerry House
Lowell Sun: Gus Webster (arrived 7:55 P.M.)

Package stores remain open Election Day

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to allow Package Goods Stores and Restaurants to remain open on March 5th, 1973, Town Election Day.

Conservation Comm. request to contact Town Counsel.

Mr. Lannan read a letter from Mr. John J. Balco, Chairman of the Conservation Commission, requesting the following from Town Counsel: 1. A review of the deed and opinion regarding the advisability of signing it as currently worded and recommendation for changes if appropriate. 2. An opinion on the advisability of maintaining the wording of the warrant article requiring consideration of $1.00 for the transfer. Mr. Lannan stated that this was in regard to the deed to the property that Campanelli was giving to the Town. The board agreed to allow the Conservation Commission to contact Town Counsel.

Planning Bd. to contact Town Counsel

The Board agreed to have the Planning Board contact Town Counsel to give a ruling to hold a public hearing on the Flood Plain Proposal.

Dog Hearing requested regarding dog owned by Mr. Boatman

Mr. Lannan read letters of complaint from Mr. Merrick Beane, 14 Sierra Drive and Mr. Donald Bingley, regarding a husky dog owned by Mr. Robert Boarman of 17 Sierra Drive. These letters stated that the dog had killed two of their pet animals. He also read a letter from Dr. Martin Gruber, DVM stating that he had viewed these to animals after they had been attached and torn apart, and he suggested a hearing be held on this dog and appropriate measures taken to control any further reoccurrences. Mr. Lannan also read a letter from Mr. Frank Wojtas, Dog Officer stating that he had investigated the incident. He stated that he had no calls on the animal before. He informed the Selectmen that the dog was tied all the time but he broke his chain when the incident happened. Mr. Wojtas stated in his letter that when he went into the Boarman's home, the dog was very calm. He also informed the Selectmen that the Boatman's are leaving town and expect to ship the dogs out of town about June. The Board agreed to have a hearing on this husky dog owned by the Boatman's as requested by Mrs. Bingley and Mrs. Beane. Mr. Lannan asked that the dog Officer and Dr. Gruber be present at this hearing.

Building Inspectors force.

Mr. Lannan read the Building Inspector's report for the month of January, 1973. There were 14 Building Permits issued with a total valuation of $205,794.00.

Resignation from Chelms. Historical Commission.

On a motion by Mr. Hart, seconded by Mr.Humphrey, it was unanimously voted to accept the resignation of Robert J. Wolfgang from the Chelmsford Historical Commission. The Board agreed to send a letter conveying their appreciation to Mr. Wolfgang for his services to the Town.

Mr. Lannan read a letter received from Mr. William R. Murphy, Chairman of the Home Rule Advisory Committee, stating that this Committee had recently viewed a Channel 2 special on calbe television in Massachusetts and reached a number of conclusions from the presentation. The Home Rule Advisory Committee made the following recommendations: 1. The Selectmen appoint a committee to study Cable Television as it applies to Chelmsford. 2. The appointed committee makes a formal written report to the Annual Town Meeting. 3. The Board of Selectmen be bound by the vote of Town Meeting in regards to Cable Television and defer any licensing until directed by Town Meeting vote. Mr. Murphy also stated that some 17 Massachusetts Communities have established Cable Television committees, unfortunately, some were established after licenses were granted. He also informed the Selectmen that a tape recording of the T.V. Special is available for their listening. It is an excellent presentation and points out the many pitfalls of cable T.V. Mr. Lannan stated that he appreciated Mr. Murphy's concern and recommendations and suggestions, but this Board has gone on record of indicating that they will not take any action until the State comes up with regulations and it is established that these are workable regulations. The Board agreed not to take any action,

Discussion regarding Cable Television.

Mr. Lannan read a letter from Mr. John Clark, EEA requesting the Selectmen draft a resolution endorsing the Neighborhood Youth Corp. and forward this resolution to President Nixon, Senator Kennedy, Senator Brooke and Congressman Cronin. On a motion by Mr. Hart seconded by Mr. Humphrey, it was unanimously voted to send this resolution.

EEA request resolution endorsing Neighborhood Youth Corp.

Mr. Lannan read a letter from Solomont & Bernstein regarding 1973 Contract for Health Services. They informed the Selectmen that they are drawing up a new contract for SHARE which will modify the present contract in order that all Towns supporting the program will have the same wording in their contracts. They requested that the contract be reviewed by the Selectmen and Town Counsel. The Board agreed to forward this contract to Town Counsel for his perusal and comments.

Contract to be drawn for Share which will modify present contract.

Mr. Lannan read a letter from Robert Olson, Purchasing Agent, stating that rather than asking the vendor to certify his own products as you suggested, and accepting the vendor's guarantee that the material tested was, in fact, salt from that supply delivered to Chelmsford, the total problem should be viewed from another dimension. He suggested that the Board may wish to consider referring the matter to a study group. Mr. Lannan stated that he thought the study was being done by the people at Lowell Tech. The Board agreed to accept the review and findings of Lowell Tech.

Lowell Tech study on salt.

Mr. Lannan read two opinions received from Town Counsel, regarding Anabasis House. The opinion dated February 23, 1973, stated that Middlesex County, when exercising a governmental function, is not subject to the zoning by-laws of the Town of Chelmsford. However when the county is engaged in a proprietary function, such as the proposed leasing of Gould Cottage to SHARE, it is subject to the Town by-laws. However, the proposed lease to a separate entity makes zoning questions so far as the County is concerned is moot. The issue is whether or not the intended use of the lessee, SHARE, is subject to regulation of the Zoning by-laws. To reach that answer it must be determined just what the intended use will be. The subject premises are in an R.B. single residence, district wherein single family dwellings are permitted. The

Town Counsel opinion regarding zoning by-laws for Anabasis House.

(Continued)
Zoning by-laws regarding Anabasis House.

by-laws defines a single family dwelling as "a detached dwelling designed for and occupied by a single family and having no party wall, or walls in common with an adjacent house or houses." The by-law defines a family as "any number of individuals living or cooking together on the premises as a single housekeeping unit." In order to determine the applicability of the town by-laws to the proposed use by SHARE a factual determination must be made as to whether or not the Anabasis Group qualifies as a family unit. If not, a factual determination then must be made as to whether or not the group qualifies as educational which would make it completely exempt under General Laws Chapter 40A Section 2 as amended. However, if a factual determination is made that an Anabasis House is more in the nature of a hospital, convalescent home or semi-public institution of a charitable character, a special permit from the Board of Appeals will be needed. Based on statements made at the hearing by the proponents of Anabasis House it would seem that the residents are a group of people living together, cooking together and performing their own housekeeping chores. If proved, then the proposed use would be permitted under the town's zoning by-law. If not, then a special permit would be necessary. In an opinion dated February 26, 1973, Town Counsel stated that since ours of February 23, 1973, concerning Anabasis House, we have studied the zoning by-laws further and wish to supplement our earlier opinion as follows: An occupancy permit is described in our zoning by-laws on page 40. He also referred to Section XI Administration, subparagraph 11.2 Enforcement on Page 53 of the zoning by-laws. Even though no building permit will be necessary for renovations at Gould House (Gen. Laws Chapter 143, Section 3) it is our opinion the Anabasis Group, being a lessee of the county, must, before occupying the building, apply to the Building Inspector for an occupancy permit indicating clearly to him the purposes for which they intend to occupy the premises. Mr. Lannan asked that the Building Inspector receive copies of these opinions so he could be aware of the County Commissioners, receiving a permit.

Becker agreement

Mr. McCarthy, Town Counsel, present at this meeting wanted the Chairman of the Board's acknowledgement regarding the signing of the Becker agreement.

Building Inspector letter regarding permit issued Robt. Hicks. Regarding alterations on property.

Mr. Lannan read a letter from the Building Inspector regarding the letter he had signed in the hospital pertaining to Permit #265 dated October 3rd, 1972, issued to a Robert Hicks and/or Mr. Larson and revoked February 12, 1973. Mr. McHugh stated that after investigating same pertaining to Section 6.1.2, Alterations - a non conforming structure may not in any one year be altered or reconstructed if the cost as such alterations exceeds 50% of the replacement value of the structure at the time of the change. He asked Mr. Hicks for a complete breakdown of all construction cost completed so far at this site which came to $2,000.00. He also stated that the replacement value of the structure at this time 1972, or any time has nothing to do with valuations of assessments on said property or any property. In his opinion, the by-law could have said that, but it does not. It clearly states replacement value. In his opinion, replacement value means material and labor incorporated in said project at the time it is being done. It would change from year to year and probably rise at today's economy. He also stated that the definitions of Alterations, as applied to a building or structure is "a change or rearrangement in the structural parts or the exit facilities." The assessment value would have no meaning as it clearly states in Section 6.1.2. The permit that was issued on the basis of information since supplied by Mr. Hicks is in his opinion, not illegal. The owner may proceed by the use and intent of said by-law 6.1.2 and the definition of alteration at 50% in 1972 and 50% in 1973. The estimated cost is $11,323.00. 50% of the replacement value is $5,662.00, remodeling approximately at present, $2,000.00 to complete remodeling $3,662.00. He also stated that these prices are at fair market value, if not below today's prices. He also stated as Building Inspector of said Town, the owner has been given permission to complete this project. Mr. Markham asked if the building permit that was issued was a proper one. Mr. Lannan stated that Mr. McHugh stated that the permit on the basis of the information that was since supplied was not illegal. Mr. Markham stated that the permit was issued for $10,000 and he is totaling up to $11,000. He asked if he is subtracting the dollars that have been spent to date. Just on the dollar values mentioned, they are far under the 10,000 permit that was issued. There is no reference made there to another permit being issued in another amount. We should be made aware of that. This problem has expanded 2 calendar years if part of it for 1972 and part of it for 1973. Mr. Markham stated that it is not clear to him what 50% he is talking about. On a motion by Mr. Markham seconded by Mr. Humphrey, it was unanimously voted to forward this letter to Town Counsel for his investigation and report back to the Board.

(Continued)
Bldg. Insp. letter regarding permit issued to Robt. Hicks.

The Selectmen met with members of the Town of Chelmsford Scholarship Fund, Mrs. Clement McCarthy, Mrs. Irene Chigas, Mr. Arthur Worthley and Rev. Harry Foster were present. On a motion by Mr. Hart, seconded by Mr. Markham, it was unanimously voted to issue a proclamation declaring March, Town of Chelmsford Scholarship Month.

March, declared Town of Chelmsford Scholarship Month.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to accept the minutes of meetings held January 3rd, 1973, January 8th, 1973, and January 15, 1973.

Minutes approved.

Mr. Lannan stated that we have had some problems with the septic system in the Town Hall, and we have asked the Board of Health to provide plans and specifications for the installation of a new septic system, which have been submitted. Mr. Lannan stated that the present system will probably hold up until Town Meeting action is taken. The Finance Committee will also be informed of the cost of this septic system. On a motion by Mr. Hart, seconded by Mr. Humphrey it was unanimously voted to turn this over to the Purchasing Agent and have him advertise for bids.

Septic tank system in Town Hall Advertise for bids.

Mr. Lannan read a communication from Senator Edward Brooke thanking the Selectmen for their recent letter on Revenue Sharing and informing them that he had contacted the Treasury Department and requested that Chelmsford's appeal be given every possible consideration.

Revenue Sharing: Ltr. from Sen.Brooke

Mr. Lannan read a letter from the Purchasing Agent which stated that bids submitted to provide "Workmen's Compensation and Employee's Liability Insurance" were reviewed this date with Mr. Roger Welch of the Insurance Advisory Committee. The following

Workmen's Comp. reviewed,bids submitted. Bid awarded to Picken

(Continued) Bids for Workmen's Comp.

summary provides comparative statistics for consideration: Picken Insurance Agency, Inc.; Est. Premium $42,864.00. Est. Dividend, $6,430.00, Net Cost, $36,434.00 - Norcross & Leighton, Est. Premium $42,974.00, Est. Div. $4,384.00, Net Cost $38,434.00 - Muldoon Insurance Agency, Net Cost $38,600.00 Recommendation is made that Picken Insurance Agency, Inc., be awarded the contract effective March 1st, 1973 to June 30th, 1974. On a motion by Mr. Hart, seconded by Mr. Doody, it was unanimously voted to award the contract for Workmen's Compensation and Employee Liability Insurance to Picken Insurance Agency. Mr. Welch of the Insurance Advisory Committee explained the figures submitted by the companies.

New Business

Mr. Humphrey stated that he would like to comment on the action of the Housing Authority as noted in the local newspapers. He stated that the Selectmen had kept in contact with the authority and followed their progress. It was great news to him to read two weeks ago about the authority opening bids and the awarding of a contract was imminent, and also the construction of the building would begin in the near future. In the past year, we have made mention of their activities and I for one, extremely proud of the job accomplished by our Housing Authority. There has been demonstrated by these bids that something has been done very, very right. I have yet to see bids so close to one another. This shows that we have a very competent architect, a very competent contractor and a most competent Housing Authority. He also asked Mrs. Ruth Delaney, present at this meeting, to convey this message back to the Housing Authority.

Mr. Markham stated that because of the fact that he had several inquiries, was the only reason I have ever discussed with this Board the ambulance service of the Town, the initial discussion was the result of an increase for one year from $6,000. to $9,000. or in three years from $16,000. to $18,000. The cost to the citizens has been increased from $38. to $42. and from $1.00 to $1.50 per mile. I didn't want that to get lost in some of our recent discussions. Mr. Humphrey stated that the only thing that may have been misleading, and maybe it was unintentional but the contract for ambulance service has never been on other than a bid basis. The determination is always left up to the Town meeting for them to decide. Any questions have been asked at Town Meeting. They will make this decision to see if the ambulance service continues. This decision will never be made by the Selectmen.

Mr. Markham stated that in regard to street acceptance, at the hearing held this past week, one street was brought to my attention; Overlook Drive, which is in deplorable condition. He stated that he had viewed this street with the Highway Superintendent. He asked that the Board find out from the Planning Board if the bond has been released. Mr. Lannan stated that the contractor has gone into bankruptcy. The article for the acceptance will have that figure to bring it up to the requirements. Mr. Lannan stated that the bond was released six years ago. Mr. Markham stated that it would be interesting to find out what the bond was that was released, it is unfortunate for the Town. He asked again that a letter be sent to the Planning Board.

Mr. Markham asked about the article concerning County Drive, DeWolf Drive and Valley Drive, which was discussed at the

Planning Board meeting. Evidently, there were a couple of motions made to release and then not to release the bonds. This Board through the Highway Department, has to supply the dollars to correct any of these street problems. It appears that after the Planning Board and the Conservation Commission discussed it, they are recommending that the bond be released. These streets are not up to acceptance. I think that we should explore and ask for a report from the Highway Superintendent and the Conservation Commission. He stated that he thought there was some kind of a turn around. Mr. Humphrey stated that the Planning Board and the Conservation Commission are working on this. The Planning Board will waive their requirements for considerations and turn this land over to the Town but there is no plan to us by the Planning Board to ask that these streets be accepted. Mr. Lannan stated that before a street can be brought to us for acceptance, the developer must submit plans. Mr. Humphrey stated that the Town Engineer should indicate whether the bond should be released and if he tells the Planning Board to release the bond, they follow his directions. We have asked the Planning Board that we would like dialogue between the Board of Selectmen, Planning Board, and the Town Engineer before the bond was released. There should be more input by the Selectmen on the acceptance of streets.There is a diversion of authority. We need a more cooperative effort. Mr. Markham stated that he would be in agreement for the Conservation Commission to pick up more land but I don't want to see the Town or the Highway Department being left to provide some kind of a turn around. Mr. Humphrey stated that if the Planning Board agrees with the developer, the inconvenience to the Town could be corrected. There should be some thought given to that. Mr. Markham asked for a report from the Highway Superintendent and the Conservation Commission in addition to asking the Planning Board if they will recommend that these streets be accepted in the future. Mr. Lannan stated that they can only do this before a Town Meeting. Even though the Town Meeting votes approval of this article, these streets are still not accepted. We have to feel that all the requirements have been met. Even though it is voted yes, at Town Meeting, we wait until the Spring to see the road conditions. I don't feel that we should go to the Planning Board to see if these streets are in for acceptance. Mr. Markham asked what were their thoughts relative to some kind of a land arrangement with the Conservation Commission. We should be aware of the total plan. Mr. Lannan stated that he would be in favor of asking the Conservation Commission of their plans for street acceptance. I am not opposed to any land arrangements the Conservation Commission can pick up, but we should be appraised of them. Mr. Hart stated that if this is the piece of land that they are talking about taking for $1.00 we should really take a look at it. I don't know whether that is too good a deal. Write to the Planning Board, Conservation Commission and Highway Superintendent.

New Business

Mr. Lannan stated that the Building Inspector said there is no reason for the license to be held up as the permit has been issued for North Chelmsford Auto Parts. Mr. Markham stated that he did't happen to see that letter. The last time that we discussed it, I recall that I observed the property with the Building Inspector and he indicated that he was going to submit a report. Mr. Markham asked if the license had been issued as he was not aware that the license was issued and this last week I noticed that the conditions were not changed. Mr. Lannan stated that the Building Inspector said there were no violations. Mr. Markham stated that the Building Inspector was given a copy of the agreement stating that the fence should be 700 feet more or less. He was going to report on this. Mr. Humphrey stated that the license can be revoked at anytime. If there are no apparent violations, we have to issue the license. The Board agreed to request the Building Inspector to reply in regard to the fence.

Meeting adjourned.

On a motion by Mr. Hart seconded by Mr. Humphrey, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 8:30 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen, held March 5, 1973, commencing at 7:30 P.M.

Members Present

Members present were: Mr. Lannan, Chairman, Mr. Markham, Mr. Doody, Mr. Humphrey, and Mr. Hart. Mrs. Haines was also present. Mr. Lannan persided.

Members of the press present.

Members of the press present were:
Chelmsford Newsweekly, Mrs. Ann Marie Kierce
Chelmsford Sentinel, Mr. Gerry House
Lowell Sun, Mr. Gus Webster

Signing of the Police, Fire, and Highway Dept contracts.

The Board of Selectmen signed the contracts for the Police, Highway and Fire departments for 1973 and the first six months of 1974. The contracts are similar to last year except this contract is for an 18 month period. There is also a 5.5% increase for all departments, a longevity clause for police and fire, increase in sick leave from 10 days to 15 days which would be allowed to accumulate and would be received upon retirement. The Blue-Cross-Blue Shield article to go before Town Meeting will be asked to be dismissed. Mr. Markham, Mr. McHugh, Mr. Rondeau negotiated for theTown, Mr. John McDonald, IUOE, Mr. Sheehan, Mr. Miner, Mr. Weaver negotiated for the Highway Department. On a motion by Mr. Markham, seconded by Mr. Hart, it was unanimously voted to accept the contract for the Highway Department as negotiated. Mr. Lannan, Chief Reid, Mr. Hardy, negotiated for the Town. Atty. Nyman, Mr. Cutter, Mr. Dube, Mr. Pierce, Mr. Spinney negotiated for the Fire Fighters. Mr. Hart, Mr. McHugh, Chief Germann negotiated for the Town. Mr. D'Aguano, IBPO, Mr. Walsh, Mr. Merlucci, Mr. Linstead, Mr. Wellington, negotiated for the Police Department.

Senior Citizen's Luncheon.

Mr. Lannan read a letter from the Senior Citizens inviting the Selectmen to a St. Patrick's Day Luncheon, Thursday, March 16th, 1973, at the Banqueteer.

Minutes accepted.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to accept the minutes of meetings for January 22nd, 1973, January 29th, 1973, and February 5th, 1973.

Becker vs. Town case cost.

Town Counsel has notified the Selectmen that the execution of the Henry Becker vs. Town of Chelmsford case is in the amount of

$25,625.38. This execution should now be paid from treasury cash. After payment, the Accountant shall certify to the Assessors the amount paid of this execution for inclusion in the current tax rate.

Vacation pay for police dept. employees

Mr. Lannan received an opinion from Town Counsel stating that the vacation pay for police department employees must be computed on a seven (7) day basis from January 1, 1970. All officers are entitled to this regardless if they left the force. Mr. Lannan asked that the Police Chief determine the amount of money for those people who have since left the department.

New England Power hearing set.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to set up a hearing for New England Power for crossings at Garrison Road.

Jaycees request for carnival.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to allow permission for a loudspeaker for a carnival to be held by the Jaycees May 7th, through May 12th, at the J.M. Field's parking lot. The Jaycees also requested that the Selectmen inform them if there are any other carnivals within a month of those dates.

Available funds for Town: letter from Dept.of Corp. & Tax.

Mr. Lannan read a letter from Mr. Gordon A. McGill, Director of Accounts, The Commonwealth of Massachusetts Department of Corporations and Taxation, which stated that in accordance with the provisions of General Laws, Chapter 59, Section 23, as amended, I hereby certify that the amount of available funds or "free cash" as of January 1, 1973, for the Town of Chelmsford is $390,530.00. Mr. McDermott, Chairman of the Finance Committee was greatly disappointed in this amount.

Appt.Special Police Off. for M.C.T.S.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to appoint Mr. Elwin C. McNamara, 778 Broadway Street, Lowell, Mass., as a Special Police Officer for the purposes of security at the M.C.T.S., North Chelmsford. No expenses will be incurred by the Town since Mr. McNamara's salary will be paid by the county.

Bids opened for List of Men & Women Book.

Bids were opened for the List of Men and Women. The bids were as follows: Semline Inc., $4.50 per page: Picken Printing, $4.50 per page: Shawprint, $5.32 per book for a 200 page book. The Selectmen agreed to ask the Purchasing Agent to look over the bids and make recommendations and forward these recommendations to the Board of Registrars.

Discussion regarding Hick's Gas Station on Old Westford Road.

The Selectmen met with residents from the area of Hick's Gas Station on Old Westford Road. Atty. Peter Dow spoke to the Board on behalf of the residents. After Mr. Dow's presentation, Mr. Lannan stated that the Selectmen had an article in Town Meeting and also on the opinion of Town Counsel, the Selectmen took action to have the permit revoked in the absence of the Building Inspector. Mr. Lannan informed those present that once the Building Inspector is named, he becomes an officer to enforce the law and the Board of Selectmen can not interfere. Mr. Lannan read a letter received from the Building Inspector stating that after the first permit was revoked, he did an investigation, and the law states that renovations in a non-conforming use cannot exceed 50%. He stated that in his opinion, the owner may proceed in definition 50% in 1972 and 50% in 1973.

(Continued)

Discussion regarding Hick's Gas Station: Old Westford Road.

A letter was received from Town Counsel stating it was the duty of the Building Inspector to issue the permits and make sure the laws are conformed to. The Building Inspector stated that the alterations are conforming with the law. Mr. Lannan stated that two appraisers, William H. Riney and William J. Hennessey, prepared figures for Town Meeting which will act on the land taking. If at Town Meeting, it is voted to take the land, it will be done immediately. Mr. McCarthy stated he felt the Building Inspector performed his duties in accordance with the oath of the office he had taken. He said it was a one man decision until action was taken by the Board of Appeals. Mr. Doody suggested the appeal be filed before the 30 days were over and intent of the by-laws be interpreted by the Building Inspector. Mr. Markham commented if it went to the Board of Appeals now, it may not be heard before April or May. He suggested that action be stopped on the building until Town Meeting. Mr. Markham moved to request the Building Inspector to immediately not only review but also revoke the existing permit until after action is taken on the subject article at Town Meeting. Mr. Lannan stated that the Selectmen have no business in interfering with the Building Inspector and his duties and responsibilities. Mr. Humphrey seconded this motion. He also asked that Town Counsel give an opinion on this motion before it is voted. Town Counsel stated that a letter from the Selectmen would be influencing the Building Inspector. Mr. Markham stated that he felt the motion was doing nothing more than requesting again as the Board had requested before and that the Building Inspector would review the situation and disregard this request if he doesn't feel it is a proper one. Mr. Humphrey stated that based on that, that is why he voted for it. Mr. Doody stated that they can stop construction for a week. Mr. Humphrey stated that he had no faith in the motion because he did't think the intention of the motion would be accomplished. The motion passed Mr. Markham, Mr. Doody, Mr. Humphrey in favor. Mr. Hart and Mr. Lannan opposed. The vote than stands at three in favor with two opposed. Mr. Markham moved that this meeting with the Building Inspector take place this Thursday night at 7:00 P.M. The motion failed for lace of a second. The Board agreed that this meeting should be decided among the new Board of Selectmen at their reorganization meeting Tuesday, March 6, 1973. Mr. Markham made a motion seconded by Mr. Lannan which was voted unanimously to ask Town Counsel for his research to be provided on the definition of replacement value. The Board agreed to notify Mr. Brown if a meeting would be held on this matter by the new Board of Selectmen.

Discussion regarding Steadman St. traffic - an alternate route.

Mr. Lannan read a communication from Town Counsel regarding Steadman Street - Alternate route. He asked that this be left in the folder to be discussed at Town Meeting. Mr. Markham stated he hoped that this information regarding this article would be untangled as it is complicated for a layman, and a single report stating that we have to give an alternate route and we have a report stating that we can not give an alternate route. Mr. Markham stated that it says it might be workable but I don't think it is workable until you try it. Mr. Lannan stated that it is unoperable. Mr. Markham stated that until you try , you will not know if it is completely impossible. Mr. McCarthy stated that it is so far as the local government is concerned.

(Continued)
Discussion
regarding
Steadman St.
traffic -
Alternate
Route.

It does not come in the Town Counsel's responsibility, it was referred to the Chief of Police and Sgt. Adams does not feel that this alternate route is feasible which seems to me that the article will fail. Mr. Markham asked why couldn't they find an alternate route? Mr. McCarthy stated that Steadman Street starts at Westford Street. There are no roads to the right or to the left until you get to Smith Street. This would go to Parkhurst Road to North Road. There have been heavy traffic complaints on North Road. If coming west, you were going to reroute traffic, the other way within the Town of Chelmsford would be Dalton Road where you do have the authority to restrict the traffic of over $2\frac{1}{2}$ tons to be kept off Dalton Road. This is a different regulation and the Town does have the authority to vote on this. In the Town itself, it is impossible within the Town to lay out an alternate route. If the Chief of Police consults with the City of Lowell, the Department of Public Works to get an alternate route, it is not legally impossible to get an alternate route. Mr. Markham stated that when we were discussing articles, we even discussed an alternate route which was using part of Route 3. In your first letter, this is what I think should be clarified before we go to Town Meeting and if the article is only lacking an alternate route, I would like to have an alternate route presented to the townspeople. If it is accepted as an article by the townspeople, I think we should seek the cooperation from Lowell. Mr. Hart stated that he didn't think that we would get that cooperation from Lowell or from Boston before Town Meeting. We will not have that material in time. Mr. Markham asked if it was possible to present an alternate route as an amendment to the article to become part of that article to be approved by the Townspeople. It would be a waste of time to seek the help of Lowell and Boston if the article failed. Mr. Hart stated that you can't just say the route and then get it straightened out later with Lowell and Boston. Mr. Lannan stated that the Police Department gave an alternate route. There is no other alternate route to be used. Mr. Markham stated that it would be required to be posted at the Lowell end of Steadman Street and at the Chelmsford end of Steadman Street. That would be my approach and I would move to go along that we do that. Mr. Hart seconded the motion. Mr. Humphrey stated that when he opposed this, it was confusing and it did not accomplish what the intent of the people was. I would like to make a suggestion of what we should do, to the article at Town Meeting that the Selectmen be authorized to do what you are looking to do subject to the finding of a possible alternate route. Then you are not committing yourselves and that would resolve what you are trying to do. Mr. Markham stated that would be acceptable. Mr. Humphrey stated that you don't even need an article. The Board of Selectmen can do this on their own. I don't know why it ever became an article. Mr. Markham's motion including authorizing the Board if they can find an alternate route, seconded by Mr. Hart was unanimously voted. Mr. Markham recommended that we so designate an alternate route.

Appt. Auxl.
Police Off.

On a motion by Mr. Hart, seconded by Mr. Humphrey, it was unanimously voted to appoint the following as Auxiliary Police Officers; John J. Gardiner, Jr., 1 Delwood Road: Leland B. Kelly, 11 Regina Drive: John P. Politano, Jr., 96 Billerica Road; and

Nicholas A. Stratis, 71 Randall Road. These officers will serve in an emergency without pay from the Town.

Letter from Bd. of Health reg. salary of person hired.

Mr. Lannan read a letter from the Board of Health stating that they wished to inform the Selectmen that in the opinion of Town Counsel, rendered to the Personnel Board, that the Board of Health acted in full compliance with the statutes of the Commonwealth of Massachusetts. They also stated that the person hired has the highest qualifications which warrant such a salary.

New Business

Mr. Lannan addressing Mr. Humphrey and Mr. Doody upon their retirement from the Bd.

Mr. Lannan then stated that"this being the last meeting before a new Board of Selectmen is organized, and the last meeting at which Mr. Humphrey and Mr. Doody will be participating as Selectmen, I am taking this opportunity to wish Howard and Gene good luck and good health in the future. I have enjoyed serving with them on this Board. Howard and I have served on the Industrial Development Commission together and seven years together as Members of this Board. We have not always seen solutions to issues alike, but we have always faced the issues in a manner which we believed in the best interest of the Town. I can say the same for Gene. While he has not served as long a time as Howard, he certainly has served the Town well as a member of the Nashoba Valley Technical High School Committee and a School Committee member and as a Selectman certainly. Both have served the Town during its years of exceptional growth and therefore, during one of its most trying times. With growth, comes problems, and problems must be solved. I believe Howard and Gene have tackled the problems as presented and as they have occurred. I believe that the Town of Chelmsford has benefited by their having served. I thank them for having cooperated with the rest of the Board, and particularly myself during these last two years of my Chairmanship. Without their help, especially during the emergencies that arose during those years, the tasks that had to be completed could not have been done as expediously and as efficently as there were. I hope that they will continue to be active where their experience and knowledge will be helpful and on behalf of this Board I present these gifts to Howard and Gene." Then Mr. Lannan presented Mr. Humphrey and Mr. Doody with desk sets.

Mr. Humphrey address to the Bd. of Sel. upon his retiring as a member of the Bd.

Mr. Humphrey stated that he certainly did appreciate this token of the Board's esteem, and humbly accept it as presented. Mr. Humphrey then addressed the Board as follows: "This evening's meeting of the Board of Selectmen, marks my eleventh and final year as a member. It is with some degree of sadness that I note this occassion. But, as I stated many weeks ago, that I would not seek re-election, it is reaffirmed as of this final meeting. May I say further, it is not my intention to consider any other political office in the near future. My tenure of office as a member of the Board of Selectmen has been a gratifying experience for me. I have enjoyed the privilege and honor to have served the Town of Chelmsford these many years in various Town offices as well as a Selectman. It is my fervent hope that I may have in some small way, contributed towards making Chelmsford a better community to reside within for all Townspeople. If I have accomplished this, then my service to the Town has served my desire. I would also like to take this opportunity to express my deep appreciation to the press, for their kindnesses over these past years. I can appreciate your at times, difficult task and most certainly important contributions to the townspeople of Chelmsford, I wish you all well. In conclusion, I could not leave without publicly commending all of the many town employees with whom I have worked as a Selectman, they are a credit to the Town of Chelmsford. Finally, to the remaining and future members of the Board of Selectmen, I wish you well. May you continue to serve the Town in a matter befitting the importance of your office. I believe the Town of Chelmsford to be in good hands."

Mr. Doody wanted to express his gratitude and his thanks to Evelyn and her staff for making a difficult job a little easier and to the press for getting information out to the Townspeople. He also expressed his appreciation to the Townspeople. He stated that he was particularly pleased to have had the opportunity to develop the Drug Program, Youth Center Committee, and more recently create the Capital Planning and Budgeting Committee. All three of these programs were created while I was in office. He also wished to convey his best regards to the three departments. Police, Fire, and Highway, and their staff for an outstanding performance. I don't know if there is anything these groups have asked to do that they have really demonstrated their competence and I am very pleased. I would like to give my best wishes to my successor and wish the best of luck to the veteran members of this Board in their Office.

Mr. Doody addresses the Bd. upon his retirement as a Sel.

Mr. Hart stated as one of the junior members of this five man board, my education has come from two of the three members and two of these members are leaving. He wanted to thank them for what they have done in assisting him on his job, not just with their time on the Board of Selectmen, School Committee, Planning Board; you both have been thoughtful and that the two new members do half as good and they will do a very fine job.

Mr. Hart's addresses Mr. Doody & Mr. Humphrey.

Mr. Markham stated that he would like to say that he found it extremely interesting and educational to serve with both Mr. Humphrey and Mr. Doody and it has enlightened me on the procedures of Town government and to extract a statement from Mr. Humphrey "it always makes interesting reading." I would like to wish both Howard and Gene well in leaving public life.

Mr. Markham address Mr. Doody and Mr. Humphrey

Mrs. Ann Marie Kierce stated that she thought that we are all going to miss Howard's knowledge, it will be hard to replace on town government.

Mr. Gus Webster wished Mr. Humphrey and Mr. Doody the best of luck and he hoped that they would find any other office a little easier and that the press treated them better.

Mr. Gerry House of the Sentinel wished Mr. Humphrey and Mr. Doody the best of luck and he also stated that every meeting that he has attended, they have always conducted themselves as true gentlemen and have always impressed him with their knowledge of the workings of the Town and quite often with the way they handled the situations.

Members of Press wish Mr. Doody & Mr. Humphrey well upon retirement.

Town Counsel addressing Mr. Doody & Mr. Humphrey

Mr. McCarthy, Town Counsel, stated that it is a particular joy tonight that these two gentlemen are retiring voluntarily as they didn't wait for the voters, as Mrs. Chase Smith did in Maine. The great unsung heroes are the wives of these gentlemen. In expressing the thanks of the townspeople, I am sure that you all join with me in thanking their wives in making them available to the Town.

Meeting adjourned.

On a motion by Mr. Humphrey, seconded by Mr. Doody, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 10:35 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Meeting of the Board of Selectmen for reorganization held March 6th, 1973, commencing at 7:30 P.M.

Members present

Members present were: Mr. Lannan, Mr. Hart, Mr. Markham, Mr. Lovering, Mr. Murphy. Mrs. Haines was also present.

Mr. Lannan opened the meeting and welcomed the two new members, Mr. William R. Murphy and Mr. Arnold J. Lovering.

Reporters present

Members of the press present were:
Chelmsford Newsweekly, Mrs. Ann Marie Kierce
Chelmsford Sentinel, Mr. Jerry House
Lowell Sun, Mr. Gus Webster
Photographers were present from the Newsweekly, Sentinel and The Lowell Sun.

New members welcomed

Mr. Lannan read the following statement. In all of America's local government there probably can be found no public office as unique as that of Selectmen. Boards of Selectmen continue to be an outgrowth, or agents of the major decision-making body, the town meeting, and in a legal sense, their role continues to be defined quite narrowly. Indeed, the more than 700 general laws provisions relating to Selectmen ultimately have the force of placing limitations upon, rather than granting powers to, this historic office. In terms of actual powers, the Board of Selectmen, as the presumed executive leaders in the town governmental structure, must share political power with a host of other boards, commissions, agencies and individual officers. Yet, in terms of their public image, Selectmen are expected to exercise mythical powers when irate citizens expect it, and be positive, forceful, and capable of leadership at all times. What I have stated has been taken from "The Office of Selectmen In Mass." a Handbook for Massachusetts Selectmen, a copy of which I present to you now, along with copies of the minutes of the last four meetings of the Board for your review. Minutes of all meetings held by the Selectmen in recent and past years are available to you in the Admin. Asst. Office. It is time now for me as Chairman of the Board to relinquish this honor in favor of a new Chairman. I have had the honor of being Chairman of the Board during the third year of my first term, 1968, again in 1971 the last year of my second term and last year the first year of my third term as a Selectmen. As I stated last night, a Chairman cannot do his job, carry out the responsibilities of his office without the help and cooperation of his colleagues. For their help and cooperation, I also thank Mr. Hart and Mr. Markham. It has not always been an easy task presiding at our meetings nor do I expect it will be any easier for my successor. I have always tried to be fair in allowing any time for comments, debates or otherwise to all members of the Board. I have tried to be fair with the members of the press and news media and thank them for their patience, their reporting and their attendance at our meetings. To the other Boards, commission and agencies of the town, my thanks for their efforts and help to make my tasks easier and now it is time to turn the reins of the Chairmanship over to another member of the Board who I wish well and to whom I am sure this Board will cooperate and work with for the benefit and betterment of the Town of Chelmsford. I ask

Mr. Markham gave a brief summary of what has occurred to date and what has been discussed at previous meeting regarding the gas station on Old Westford Road. He referred to correspondence on this matter. Mr. Dow stated that the basis position that was stated was that in view of the initial building permit for $10,000 indicating a replacement value of the structures on this non-conforming use and an assessed valuation of $1,200 for the structure, why was there such a large difference? At one of the Selectmen's meetings, the Board and Town Counsel were in agreement to stick with the assessed valuation. The letter was addressed to the applicant based on this figure. Prices of bldg. costs are going to go up but it still doesn't explain the large variance of the permit issued and the assessed valuation of the permit issued last year or the assessed valuation and the second permit issued. Mr. McCarthy stated that we had no information available when the first permit was issued except the $1,250 assessed valuation. Mr. McCarthy recalled that he informed the Board that they should put the ball in Mr. Hick's court until Mr. Hick's came in and proved differently. That night he advised the Board to go with the assessed value and on the face of that, the permit was illegal. Mr. McHugh stated that these figures were sent to the Bldg. Insp. by Mr. Hicks, and I am accepting these figures as the replacement value of this structure. Mr. House, Assessor, informed those present that the bldg. was assessed for $1,250.00. Mr. Markham stated that it was also mentioned in terms of this re-evaluation that the contract that the Board had with the re-evaluation firm stated that the firm would support these figures as submitted for a certain period of time for the purposes of verifying the figures. Mr. House stated that the assessed value can in now way be related with the replacement value. Mr. Lannan asked that if in the event the appraisals come before the Board tomorrow night in order to have a figure to put against the article at Town Meeting, would that figure by used for tax purposes? Mr. House stated that they are appraising for future and potential benefits, they are assessing what was there. In answer to Mr. Lovering, Mr. House stated that the assessed value of the property prior to the re-evaluation was $500 for the building and $200 for the land. Mr. House stated that the only reason a bldg. permit is used is to tell them that something is going on. A resident stated that Mr. Hicks will not be fueling his trucks at this gas station as he has diesel fuel on his property in Westford. Mr. Geary stated that this gas station was going to be run as a business and they would not allow children to hang around the station. The Bd. of Appeals would not give a variance to change the bldg. and we are trying to alter the bldg. within the by-laws so that it will be more acceptable to the Town. This will be a major improvement of the land, more tax dollars for the Town. Mr. Hicks stated that he has taken out a lot of permits and this is the first time he had been accused of placing the value too high. He described the remodeling to be done to the gas station. Mr. Lannan asked what the future held for that area and was it the intent to add to this piece of property a store of a variety nature. Mr. Hicks stated that he didn't know where this rumor started. He stated that that would require another Bd. of Appeals venture which he wasn't about to go through. There were other rumors that I was going to acquire a piece of property across the street and build a Little Peach. Mr. Lannan asked if it was Mr. Hick's intent to buy the Gilmore land adjacent to the station. Mr. Hick's stated that this was not his intent. Mr. Lannan stated that there is a difference between alterations and restoration as he pointed out Monday night. In this particular case, we are not talking about the replacement of this bldg. as if it was damaged by fire. While a permit may not be required, I am not sure whether Mr. Hicks interpreted that section that it is a non-conforming structure which does come under the zoning by-laws where a permit would be required. Mr. Lannan also refereed to the transfer of the gas storage license that occurred in connection with this piece of property. We have had experience in what the cost is for taking a piece of land by eminent domain. The

Town has always paid double for taking land by eminent domain if the party involved takes the Town to court. Mr. McCarthy, Town Counsel, cited other parcels of land that were taken by the Town by eminent domain. He stated that he hoped a time would come when the Town could negotiate at arms length for land than submit the Town to the appraisals of the juries. Mr. Hodgson, whose grandparents are abutters to the gas station, stated that he would eventually own the land and he had no intention of selling that land. He stated that Mr. Silva also had no intention of selling his land. Mr. Geary stated that some weeks ago, people called Mr. Hicks and wanted to support the gas station. The petition is a list of signatures supporting the renovation of Larson's gas station on Old Westford Road. Mr. McCarthy stated that the bldg. insp. wrote to the Bd. of Selectmen and he based judgment on the figures that were submitted and that was all he had to do. He was appointed by the Bd. of Selectmen and they do not instruct him in what he should do. That would be a corruption of the authority of the oath he took. Mr. Lannan stated that when the Planning Bd. updates the Master Plan, the Bd. of Selectmen should ask that some revisions be included.

Chairman Elected.

that the Vice-Chairman assume this Chair in order that I might be recognized for the purpose of making a motion. Mr. Hart welcomed the new members and opened the meeting for nominations. Mr. Lannan nominated Mr. Hart. Upon hearing no second, the Chair asked if there were other nominations. Mr. Lovering nominated Mr. Markham, Mr. Murphy seconded the nomination. Mr. Markham was elected to the Chairmanship on a unanimous vote. Mr. Hart wished Mr. Markham the best of luck in the year to come.

Mr. Markham thanked the Board for the pleasure and opportunity to serve as Chairman. He stated that he certainly would hope to stand behind the position of Chairman and be fair not only to the Board but to the other citizens that come before the Board. He also asked that if any member feels the Chair is not conducting itself properly, the Chairman should be informed so that business will be conducted in fairness to all concerned. Mr. Markham asked for nominations for Vice-Chairman.

Vice Chairman Elected

Mr. Hart placed the name of Mr. Lannan for nomination as Vice-Chairman. Mr. Lannan stated that he would not accept this nomination as he felt as though one of the new members should be Vice-Chairman. Mr. Hart moved to nominate Mr. Lovering for Vice-Chairman, Mr. Murphy seconded the nomination. On a motion by Mr. Lannan seconded by Mr. Hart, nominations were closed. Mr. Lovering was elected Vice-Chairman by a unanimous vote of the Board.

Clerk Elected

On a motion by Mr. Hart seconded by Mr. Lannan, it was unanimously voted to elect Mr. Murphy, Clerk of the Board of Selectmen.

Town Counsel Appointed

Mr. Lannan stated that there are two other appointments that should be made tonight based on the fact of Town Meeting. On a motion by Mr. Lannan seconded by Mr. Murphy, it was unanimously voted to appoint Clement McCarthy, Esquire as Town Counsel for a year term.

Admin. Asst. Re-Appointed.

On a motion by Mr. Lannan seconded by Mr. Hart, it was unanimously voted to reappoint Evelyn M. Haines as Administrative Assistant for a year term.

Rec. Secretary Re-appointed.

On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to reappoint Marion E. McCready as Recording Secretary for the Board of Selectmen.

Order of Recognition adopted.

Chairman Markham suggested that the order of recognition be in the future the Vice-Chairman, Clerk, Mr. Hart and Mr. Lannan. He asked that the Vice-Chairman be placed at his right and the Clerk at his left. Mr. Markham also suggested that a committee be established to study meeting rules and agenda procedures and that an agenda be published prior to the meeting. He also stated that he would continue to conduct the meetings as in the past but he would consider suggestions by the members of the Board and also if some of the members would have suggestions for serving on sub-committees.

Establish Meetings for March

Mr. Markham stated that a schedule of meetings for the month of March has to be established. Also, a dog hearing time has to be established. Mr. Lannan stated that based on the fact that we have Town Meeting on Monday night, and the Planning Bd. and the Bd. of Appeals meets Wednesday and Thursday nights, I would move that the Board meet next Monday afternoon at 4:00 P.M. and hold the dog hearing at that time. Mr. Hart stated that it may be difficult for people who are involved with the dog hearing to be here at that time. Mr. Lannan's motion died for lack of a second. Mr. Markham suggested that the Bd. meet at the regular time on Wednesday night. The Board agreed. The Board also agreed to hold a special meeting this Thursday evening to discuss the Hick's gas station property located on Old Westford Road with the residents from that area. The Board agreed to ask Mr. House, Assessor, Mr. McCarthy, Town Counsel, Peter J. McHugh, Building Inspector, to attend this meeting. Mr. Markham also suggested that the Board review the articles for the Town Meeting, and also that the new members familiarize themselves over the weekend with the Town Meeting Warrant. The Board agreed to meet Saturday, March 10 at 10:30 P.M. at the Police Dept., 11:30 P.M. at the Highway Dept. and 12:30 at the Fire Dept. to discuss the budgets for these departments. The Board also agreed to schedule a tour of the Training School facility for 2:00 P.M. to see if the Town could use these facilities. Mr. Tsongas, County Commissioner, had agreed to meet the Selectmen for this tour. Mr. Markham stated that the press would be welcome to attend any of these meetings.

New Business

Mr. Murphy moved that the Selectmen make available clerical help to assist the Finance Committee regarding changes in the Finance Committee book. He stated that last year, the people at Town Meeting had to listen for 45 minutes and received verbal changes. He would like to see the Board of Selectmen get that information on paper. Mr. Lovering seconded the motion. The motion passed unanimously.

Mr. Lannan stated that the Chairman of the Finance Committee last evening asked if it would be agreeable to the Bd. of Selectmen to start the Town Meeting with the Articles as the 18 month budget is still being prepared. The Board agreed.

Mr. Murphy stated that it would not serve the general public's interest to hold the Town Meeting on consecutive evenings, as it would be difficult to attend four meetings in a row. He also stated that copies of the material is not available for Town Meeting. This also did not serve the public's interest. Mr. Markham stated that next week, the meetings would be on Monday and Tuesday, then go to the next week.

Mr. Murphy stated that in regard to the Redistricting of the State Legislature, the Rules Committee of the State Legislature has moved the deadline to the last Wednesday of March. The redistricting plan has again changed and it involves Precincts 2 and 7 in No. Chelms. and Precincts 4 and 11 going to a Lowell rep. The Bd. of Selectmen has sent a letter to Rep. Keverian and have received no reply. Mr. Murphy asked if the Chairman would contact Mr. Keverian by phone. If we wait, it will go to the legislature floor and we will have no say. Mr. Markham agreed to contact Mr. Keverian. Mr. Murphy stated that everyone has seen the plan but Chelmsford and it keeps changing.

Mr. Markham asked that Mrs. Haines make copies of the Police, Fire and Highway contracts available to Mr. Lovering and Mr. Murphy.

The Board also recognized Mr. Ripsom, new member of the School Committee and Mr. Kelly, new member of the Nashoba Valley Tech. High School present at this meeting.

Meeting Adjourned

On a motion by Mr. Hart seconded by Mr. Murphy, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 8:05 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular meeting of the Board of Selectmen held March 8, 1973, commencing at 7:30 P.M.

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Murphy, Mr. Hart (8:00 P.M.) and Mr. Lannan. Mrs. Haines was also present. Mr. Markham presided.

Members of the press present were:
Chelmsford Newsweekly, Mrs. Ann Marie Kierce
Chelmsford Sentinel, Mr. Jerry House
Lowell Sun, Mr. Gus Webster

Reporters present

The Selectmen met with residents of Old Westford Road regarding the gas station on Old Westford Road owned by Robert M. Hicks. At the request of the Selectmen, Peter J. McHugh, Building Inspector, Charles House, Assessor and Clement McCarthy, Town Counsel, were present at this meeting. Mr. Hicks and his Attorney, James M. Geary were also present. During the discussion of this matter, Town Counsel gave an opinion on "replacement value". He stated that he had researched the word and even asked insurance companies for a definition but found that historically "replacement" has no special meaning. He resorted to Webster's dictionary which defined the word as "to replace" or "equivalent for" "reconstruct structure as it stood", etc. Mr. McCarthy illustrated this by referring to an old wooden table being sold for $5.00 but to reconstruct that same table using similar wood would cost $500.00. Mr. McHugh informed the Board that it was not customary and the by-laws did not require plans to be furnished for buildings. Mr. Hicks did not bring in plans for this work. Mrs. Ann Gallo, vice-president of PARC said that PARC never had any intentions of placing playground equipment on this property. She stated that her group had never taken a position on the land taking. Mr. House, Assessor, told those present that the assessed value of the building was $1,250 but could in no way be equated with "replacement value". Mr. McCarthy agreed to a statement made by one resident that this by-law must be amended but that the Town did not have these tools now in answering this case. Atty. James Geary addressed the group as Mr. Hick's attorney. He stated that there had been some suggestion that there was something improper in the transfer of the gasoline permit. He referred to Chap. 38 which states that license to store inflammables goes with the person who buys the land. It is a personal issue on the first issuance but after that it becomes an incident of ownership. Mr. Geary then addressed the eminent domain article and he stated that he would suggest that the primary ingredients in determining the right to take land by eminent domain were missing in this case. To take land, it must be for public purposes and he recalled how the rep. from PARC had at no time said they wished to use the land. He also brought to everyone's attention, that at the time the Robert's property was taken, no mention or plan had been presented for the taking of the now Hicks property. He also stated that there is no evidence for taking the land except that objection of some people in the neighborhood who did not want the gas station there. Mr. Geary stated that it would be untenable to take because Mr. Hicks' costs to date were $40,000 and that any appraisal for less would be unfair. He reminded the Board that in the past, most land taking cases once brought to court received more money than the appraised value. Further, the article makes no mention of the 5,000 feet of land next to the building also owned by Mr. Hicks. He recommended a "No" vote on this article. Mr. Lannan told Mr. Geary that the Board had made no recommendation on the article but accepted it as it was presented by petition. Mr. Geary stated that the additional land would be for runoff purposes and no plans were in existence to build on it. Mr. Geary stated that what Mr. Hicks was doing would improve the land, increase taxes and that he had done nothing illegal as there was just a misunderstanding. Mr. Geary told the Board that he had 400 signatures of people in the areawho supported the issue of the garage. Mr. Hicks stated that in his opinion the work he had done might not even have needed a permit but he applied for one because he wanted to do the right thing. Mrs. Brown asked Mr. Hicks if he would give a written guarantee that he would not expand any further. Mr. Markham stated that he would ask to have the by-laws amended so that they would be more easily understood. He would ask Town Counsel to make the necessary amendments before the next Town Meeting. Mr. Markham asked Mr. Hicks if he would sign a written agreement that there would be no expansion in the future. Atty. Geary said he would consult with his client on this matter.

Discussion re: Hicks' Gasoline Sta. Old Westford Road

Agenda and Rules for Meetings

Mr. Markham requested that in the near future a sub-committee be established to set rules for meetings. He also stated that it was his intention to have an agenda published before each Board Meeting. In order to publish an agenda, it would be necessary to have Friday noon established as the cut-off time for receiving agenda items. Also, Board members could request agenda items Thursday evening. Mr. Markham stated that an agenda would inform the members as to what would be coming up at the meeting. The members of the Board can also bring up new business.

Request for Pole Location Manahan St.

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to hold a hearing for N.E. Tel. & Tel. and Mass. Electric for one joint pole location on Manahan Street. The abutters will also be notified.

Recycling Report

Mr. Markham read a report of the newspaper pickup by the Highway Dept. for the Recycling Program, the week of Feb. 26th through March 2nd, 1973. Number of tons, 19.7, Total Amount $157.60. Wages paid during that period, $840.00. Mr. Hart stated that the Highway Dept. is taking men from other duties and putting them on the paper collections.

Costs for Sidewalk Construction

Mr. Markham read a letter from the Highway Supt. stating that the following is the estimated cost for construction of sidewalks: Acton Rd - 5,280', $52,800.00, North Road (both sides) - 16,500', $165,000.00, School Street - 4,000', $40,000.00. The approx. cost of $10.00 per lineal foot does not include the cost of taking down trees, excavation work, fill, land damage, installation of berm or curbing, etc. Also, an engineering firm would have to be hired to survey the areas as land taking will be necessary in some areas. Mr. Lovering asked if there was a committee or citizen's group who were interested in sidewalk development. Mr. Markham informed him that there is another article in the Warrant to develop a plan for sidewalks and at that time a committee would have to be named. Mr. Lovering also stated that sidewalks had always been presented improperly and perhaps if there was a plan to give to the people, they may be more acceptable. The Selectmen agreed to ask the Highway Dept. for complete figures for the sidewalks including the cost for all items mentioned in Mr. Rondeau's letter. Mr. Hart stated that the total cost be presented to Town Meeting instead of taking the Highway Dept. off of their other work.

Byam School Assn.-Supports Sidewalk Articles

Mr. Markham read a letter from the Byam School Assn. stating that they will support the article on a townwide study for sidewalks and also the article for sidewalks on Acton Road. Mr. Hart stated that this is the main problem, there will be enough people to pass these articles for the sidewalks. If the Highway Dept. has to do this, they will never get it finished. He stated that the Town will have to have a bid for the whole job. Mr. Hart also stated that the Finance Committee stated that it is a great expense to put sidewalks on both sides of North Road He stated that he would be in favor of putting them on one side of that street at this time. That would cut the figure in half, just on the hottopping, that means $80,000.

Tree Spraying $0 Budget

Mrs. Ina Greenblatt of the Environmental Advisory Committee requested the Bd. of Selectmen to inform the Townspeople at the 1973 Town Meeting that there is no money in the budget for tree spraying.

Art. 74 - req. to withdraw

Mr. Markham read a letter from Town Counsel informing the Bd. that Article 74 which concerns Nat Sergi's request for rezoning on Littleton Road will be withdrawn.

Data Processing Contract

Mr. Markham stated that he had requests from the Bd. of Registrar's and the Purchasing Agent regarding a contract with LHS Associates to provide Data Processing Services. In regard to Paragraph 3, the Purchasing Agent wanted to bring to the Board's attention that this should be signed by the Bd. of Registrars. Town Counsel has approved this agreement as to form and he has recommended that in accordance with the Town By-Laws, a majority of the members of the Bd. of Registrars is all that is needed. At Mr. Lovering's request, the Board agreed to ask the Purchasing Agent to put a limit on the contract for additional charges mentioned in paragraph three. The Board also agreed to get further clarification of paragraph 2 and 3. Mr. Murphy stated that the Town Accountant is not going to authorize any expenditures over the total amount appropriated anyway.

Request for Increase In Wages for Precinct Workers

Mr. Markham read a letter from the Town Clerk recommending for the Board's consideration a pay raise for the poll workers and counters. Mrs. St.Hilaire included in this letter the present rates these workers receive. She recommended a two step raise for 1973 and 1974, For 1973, Clerks - Wardens, $2.25 per hr. without overtime, Deputies & Inspectors, $2.00 per hr. without overtime, Counters that come in after 8:00 P.M., $2.50 per hr. For 1974, Clerks & Wardens, $2.75 per hr. without overtime, Deputies & Inspectors, $2.50 per hr. without overtime, Counters that come in after 8:00 P.M., $2.50 per hr. with a guarantee of $7.50. The Town Clerk also stated that next year, she hoped to have five workers per precinct working during the hours the polls are open, with counters after 8:00 P.M. Mr. Markham also read a letter from Anna Hadley, who has worked at the polls, regarding an increase for the workers. A petition with 108 signatures was also sent to the Selectmen regarding an increase for election workers. Mr. Markham commented that if the Bd. were to agree to recommend these figures, there would have to be an adjustment on the Town Meeting financial figures. Mr. Lovering stated that he would like to study the figures. Mr. Hart noted that this would also have to go before the Bd. of Registrars. Mr. Murphy suggested that the Finance Committee be informed of these figures and also that the budget figures were due by Dec. 22, 1972. Mr. Lannan stated that no doubt the workers were underpaid, but it had been refused by the prior Board as they were working under the Federal guidelines of 5.5% raises. Mr. Markham suggested that this might not apply as these people were underpaid. Mr. Lovering stated that in order to support the raises, the Board must decide how much and what procedure should be used. Mr. Hart stated that in the past it had been done by the Fin. Com. and the Bd. of Registrars and he requested the same guidelines be used. On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to request the Board of Registrars to come in with some type of a plan for increases in pay for precinct workers.

Redistricting - no reply rec'd. From Rep. Keverian

Mr. Markham informed the Board that his efforts to reach Rep. Keverian concerning the redistricting had not succeeded as Rep. Keverian had not returned any of his calls. He asked that Mr. Murphy follow up on this as he has been close to this subject in connection with the H.R.A.C.

Report on Construction Restoration of Crystal Lake

Mr. Hart reported to the Board that the report on the construction necessary to restore Crystal Lake has been received fron Fay, Spofford & Thorndike, Inc., Engineers. The estimate is as follows: 1. Dam construction, $275,000. 2. Emergency spillway, $130,000. 3. Cleaning lake bottom, $50,000. 4. Reconstruction of inlet control structure, repairs to inlet canal dikes and cleaning inlet canal. 5. Repairs to masonry walls and reconstruction of control structure in Mill Canal. 6. Construction of trash rack in Stony Brook and cleaning a portion of Stony Brook. 7. Excavating and regrading lake bottom to 9-foot minimum depth, $150,000. No. 6.$50,000. These figures will be used for Article 22, plus contingencies, $270,000. Total Budget Estimate $1,000,000. Mr. Hart stated that the majority of these items would be reimbursed by the State and we will not spend any portion of this figure that will not be reimbursed by the State. Items 1,2 and 3 will be reimbursed. They would like to proceed as soon as possible if the Townspeople vote this article at Town Meeting. If the Town receives the $1,000,000, it will cost the Town $5,000 actual money to do this work. In regard to item 7., Mr. Hart stated that the Crystal Lake Committee feels that this is important as they do not want to have a polluted lake.

Fin. Com. & Town Rpts.

Mr. Markham informed the Board that the Finance Committee Reports will be available on March 9th, 1973 and the Town Reports, March 9th and 12th, 1973.

Request Plan. Bd. to supply maps for zoning articles.

On a motion by Mr. Hart seconded by Mr. Lannan, it was agreed to postpone discussion on the articles in the Warrant. Mr. Hart suggested that the Chairman go over the articles with the new members of the Board. Mr. Lovering stated the the members should go over any articles with the Chairman if they had strong feelings regarding these articles. Mr. Murphy asked that maps be supplied to describe the zoning articles. He stated that he could not understand the legal definitions that involves peoples names, brooks and stone walls. This does not serve the public. Mr. Markham stated that these articles are by the Planning Bd. and the Bd. agreed to request the Planning Bd. to supply maps that could be projected for the Townspeople.

Discussion on Appt. Procedure

Reappoint Highway Supt.

Mr. Markham suggested that a discussion be held on annual appointments and procedures to be followed. The Board makes administrative appointments on an annual basis. Some of the committees are without a rep. from the Selectmen because of Mr. Doody's and Mr. Humphrey's retirement. Also, there are citizen appointments for various committees. Mr. Markham suggested that a form be used to obtain information on citizens interested in serving on these various committees. Mr. Markham also hoped that the Board would approach these appointments on a systematic basic when the people are aware of these appointments. Mr. Hart stated that a Selectmen should be appointed to the Capital Planning & Budgeting Committee and the Drug Abuse Study Committee. He suggested that the two new members of the Board assume these positions In regard to the Highway Superintendent, Mr. Hart stated that he didn't think it was fair that this person be appointed on a yearly basis. A change should be made in the Town By-Laws that the Highway Supt. would be appointed for a 3 year term instead of a 1 year term. He does do a very good job. On a motion by Mr. Hart seconde by Mr. Lannan, it was unanimously voted to appoint Mr. Rondeau, Highway Supt., for a one year term. Mr. Hart stated that it is extremely tough for a man to have to worry about his job every year. Mr. Markham agreed that this appointment should be made on a 3 year basis in the future. Mr. Murphy stated that the groundwork should be laid so that these appointments are not made at this particular time of the year. It is hard for the new Selectmen to make these appointments. Mr. Markham requested that Mrs. Haines prepare a list of the other adm. appointments to be made. He also requested that a copy of this list be given to the press. He asked if the Board would review the suggested form and if they approved, it could be handed out at Town Meeting. Mr. Hart suggested that the new members of the Board look into the type of job some of the people have done on these committees in the past. Some of these people have done a very good job. The Board agreed to instruct the Adm. Assistant to send out a letter to the Chairman of all committees regarding reappointments and new appointments. In discussing appointments, Mr. Lovering stated that he might have a candidate that he would bring up at the next meeting for the position of Dog Officer.

New Business

Mr. Lannan stated that he came to this meeting completely unaware that the Board was going to have this long a meeting. Mr. Lannan made a motion that any special meeting that the Bd. of Selectmen has be only for that specific purpose for what it was called forand any other items to be discussed would be by the vote of the Board. Mr. Markham stated that the motion the other night was to discuss the conference and any other data to come before the Board. Your comments are appropriate in that any special meeting accepted by the Board would be posted specifically for that purpose. This meeting was a result of a motion made at Monday night's meeting. any special meeting would have to have a motion. Mr. Hart seconded Mr. Lannan's motion. The motion carried unanimously.

Mr. Markham requested that the Dog Officer be attendance at the hearing next week. Mr. Markham stated that there is a schedule which has been put out by a bank in Boston pertaining to the Real Estate Tax Payment Schedule for the 18 month period in the office.

A member of the press asked if the Board would consider at future meetings any questions asked by citizens present at the meeting. Mr. Hart stated, oh no. Mr. Lovering stated that he would have to consider that before giving an answer. Mr. Hart stated that we would probably go over subject that we have discussed. Mr. Markham stated that if any citizen of the Town who attended the meeting, he would be in favoring of allowing him to ask a question.

Meeting Adjourned

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 10:30 P.M.

For the Board of Selectmen,
by; Marion E. McCready

Members Present

Regular Meeting of the Board of Selectmen held March 14, 1973: commencing at 7:30 P.M.
Members present were: Mr. Markham, Chairman; Mr. Lovering; Mr. Hart; Mr. Lannan; and Mr. Murphy. Mrs. Haines was also present. Mr. Markham presided.

Members of the press present.

Members of the press that were present: Lowell Sun, Mr. Gus Webster; Chelmsford Newsweekly, Mrs. Ann Marie Kierce; Chelmsford Sentinel, Mr. Jerry House.

Dog Hearing regarding husky dog owned by Mr. & Mrs. Robert Boatman of 17 Sierra Drive.

A hearing was held at 8:00 P.M. regarding a male Siberian Husky dog owned by Mr. and Mrs. Robert Boatman, of 17 Sierra Drive, Chelmsford, Mass. This hearing was requested by Mrs. Bingley and Mrs. Beane per telephone conversations. Letters were received from Mr. Merrick Beane, 14 Sierra Drive; Mr. Donald W. Bingley, 19 Bonanza Drive; Martin A. Gruber, DVM, Animal Inspector for the Town of Chelmsford, Mr. Frank Wojtas, Dog Officer for the Town of Chelmsford; Mrs. Leon Berry, 20 Samuel Road; Mr. Barry W. Breland, Dog Officer for Town of Bedford; and Chris Lineberry, 25 Sierra Drive, Chelmsford, regarding this dog hearing. Mr. Markham asked that before any testimony is heard, that those individuals who were present to testify place themselves under oath. The following placed themselves under oath; Karen Bingley, Peter Green, Donald Bingley, Maxine Beane, Merrick Beane, Earl Mahan, Sara Mahan, Hazel Reynolds, Lillian Berry, Robert Boatman, Nancy Boatman Gordon Armstrong, Charles Wakefield, Joseph Sheedy, Marilyn Kimball, Dr. Gruber, Frank Wojtas, Nancy Shaprio, Barbara Sheedy, Susan Orr, Karen Thomas. (This dog hearing was put on tape)
On a motion by Mr. Lovering, seconded by Mr. Hart, it was unanimously voted to remove the male Siberian Husky dog from the property of Mr. and Mrs. Robert Boatman, 17 Sierra Drive, and hold said dog in the Chelmsford Dog Kennel for a period of 60 days at the owners expense. If, at the conclusion of the 60 days, no satisfactory home outside the boundaries of Chelmsford has been found, then the dog officer is instructed to destroy the dog.
On a motion by Mr. Lannan, seconded by Mr. Hart, it was voted four in favor, one opposed to have the female Siberian Husky dog permanently restrained 24 hours a day and not subject to the leash law, until such time as the Boatman's leave Town and take the dog with them. Mr. Markham, Mr. Lovering, Mr. Hart, Mr. Lannan in favor of this motion; Mr. Murphy opposed. Mr. Murphy felt as though this motion was out of order because the hearing tonight was on a particular male dog. The information is not on other dogs.

Hearing with New England Power Co. to construct & maintain transmission lines over certain public ways in Chelmsford.

A hearing was held regarding the New England Power Company to construct and maintain transmission lines over certain public ways in Chelmsford for the purpose of improving electric service in the area. All abutters had been notified, with six abutters present at the meeting.. Mr. Lovering asked Mr. David Beatti of New England Power Company what the supports would look like, to which Mr. Beatti said the lines will come into Chelmsford from Ayer and would be supported by H-shaped wooden frames 80 feet high. He assured Mr. Lovering that they would be the same in all Towns through which they passed. Mr. Lovering stated his preference would be for metal frames. Mr. Beatti told the Board the DPU had already approved the project. Mr. Roland Nicholas who is in charge of the construction stated the line would be 28 miles long and there would be 10 structures per mile. The passage through Chelmsford is 4 miles or 40 structures.They would be placed opposite the steel towers now in existence. Mr. Murphy asked the reason for this and he was told to increase power. The Selectmen were shown maps outling the route. Upon constructing these new towers would mean in some instances an additional 100 feet to the 150 foot right of way they have now, which would concern some residents whose property would be purchased.Mr. Leonard Daley and Mr. George Daley own property on the path of the lines. If they did not receive the permit they could take the land by eminent domain, for the Department of Public Utilities is able to give the company this right. Mr. Beatti stated it was the company's intent to act as good neighbors and attempt in every way to solve any problems. Mr. Murphy's concern was the company was seeking a permit from the Selectmen before they had concluded all negotiations with abutters, and he asked if the permit was issued would it hurt negotiations. Mr. Augustine Fabiani, District Manager assured him it would not. The Board voted to take this matter under advisement.

Resignation of Katie Abrams in Town Clerk's office.

Mr. Markham read a letter of resignation received from Miss Katie B. Abrams as a clerk in the Town Clerk's Office, under the EEA program. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted unanimously to accept this resignation and send a letter of thanks.

Discussion regarding road grading on Gage Lane (Chelmsford And Westford

Mr. Markham read a letter from Donald Tech, 14 Northview Avenue pointing out the extremely hazardous conditions that exist on Gage Lane. Mr. Markham stated that he had surveyed the area with Mr. Rondeau. The road in question is of gravel construction and it is one mile to a mile and one half in length. The road is entirely in Westford, but the property at the end of the road is in Chelmsford. There are two year round homes and nine summer homes. Mr. Markham also read a note from Dr. Rivard that he had viewed the road and reported that there was not enough gravel on this road. He also advised that the children did not attend school March 14, 1973. Mr. Markham stated that we are unfortunately faced with the road being in the Town of Westford and the residents from Chelmsford live at the end of this road. They are also taxpayers in Chelmsford. I have one immediate solution. We should communicate with the Town of Westford to repair that road and also arrange a meeting with the Town of Westford so that this condition will not happen from year to year. The Town of Chelmsford does have the responsibility for the taxpayers who live at the end of that road. Mr. Lannan stated that he was familiar with that situation on that road. It is nothing new, we have had this situation for the last four or five years. Mr. Teck has called my home many times. The road is in the Town of Westford. We wrote to the Town of Westford and asked if they would upgrade the road and I spoke with the Selectmen many times and I am in full favor of writing to Westford and asking them to do something about this road. Previous reply that Westford upgrades roads under betterments. The people in the area pay some of the costs and the rest is paid at the Town Meeting. Mr. Teck stated that last year the residents paid $1,100 of their own money on the road. It seemed to him that the Town of Chelmsford and the Town of Westford could get together to make the road passable and insure safe travel from one year to the next. We are not asking the Town to do it all. Mr. Lannan asked if he were asking Chelmsford to do more than what the Town does for other roads in Town. We have many unaccepted streets in the Town and we continuously upgrade these streets every year. We could not possibly do this in the Town of Chelmsford. Mr. Teck stated that he had gone to Westford and Chelmsford for the past three years and every time he would get the same answer because Chelmsford won't fix it because they don't own the road and Westford won't fix it because they are Chelmsford residents. Mr. Teck stated that he would not pay more money to have the road fixed but he would go to the residents and try and obtain some of that money. Mr. Lannan stated that on Maple Road the people had to pay a betterment charge to bring that up to the requirements to becoming a travelled way. Mr. Teck stated that they are not qualified because they are not Town residents. Mr. Lannan stated that he would ask for a joint meeting of the two Boards of Selectmen. Mr. Teck stated that he would like to pursue this immediate solution, no ambulance can get back there. The children will not go to school until the road is passable. One of them already has a sprained ankle and I have to go to work. I would like to ask if either Town could come back there with whatever stone or gravel so that we could at least get in or out with an automobile. Mr. Hart stated that if it is a Westford road, we don't have the right to do it. Mr. Teck stated that the residents have permission to do this. Mr. Markham stated that they did not talk costs, his purpose was to see the condition as explained to him by Mr. Teck. Mr. Lannan asked that to relieve the immediate situation, he would have Mr. Rondeau bring enough fill and gravel so that the road would be passable. Ask the Town of Westford if we can do that. Mr. Markham asked that the Westford Town officials be contacted so that this work could be done mutually by Westford and Chelmsford Highway Departments. If not, then he stated that the Town of Chelmsford certainly has an obligation to correct the situation provided Westford gives permission. Mr. Teck stated that the road is about 6/10 of a mile long from the end of Northview Avenue to Old Westford Road. Mr. Lannan moved that the Highway Superintendent be instructed to put the necessary fill in the road to allow Mr. Teck and his family to come in and out and also to contact the Board of Selectmen in Westford to allow us to grade the road temporarily until a permanent solution can be arrived at. Mr. Lovering seconded this motion. Mr. Markham stated that this would be based on permission from the Town of Chelmsford through the Highway Superintendent. Mr. Hart stated that he didn't think the men and equipment would be covered by insurance on Westford property; it would not be the correct thing for us to do. Some of their calls for fires are answered by our Fire Department. We are willing to help Westford when they need the help. I would be willing as a member of the Board

(Continued)

Discussion regarding grading of road on Gage Lane (Chelmsford and Westford Line

(Continued)
Discussion regarding road grading on Gage Lane (Chelmsford-Westford)

to go and speak to the Westford officials and see if something could be done. There is quite a bit of danger in having our equipment go on that road. Mr. Lannan stated that we send equipment on unaccepted streets and they are not covered by insurance. Mr. Hart stated that this is just to fill in potholes, mix in place, but we have a ditch here. Mr. Hart stated that Westford should be approached as to what has to be done. There should be some type of an agreement. Mr. Lannan stated that a part of this road belongs to Chelmsford. Mr. Murphy abstained from the motion as he knew none of the facts except a brief explanation. He asked why was the Board acting on this so quickly. He stated that he was totally at a loss to make a decision. Mr. Hart stated that we should find out who is responsible and do this the correct way. This happens every year at this time. If we do this with this road, we will have to do this with every road. Mr. Lannan stated that it is an unfortunate situation where we have children out of school and we should take an action to relieve the problem at the present time. Mr. Hart stated that children used to walk a half mile through the woods to go to school. Mr. Markham, Mr. Lovering, Mr. Lannan in favor of the motion. Mr. Hart opposed, and Mr. Murphy abstained. The vote was three in favor, one opposed, and one abstaining. Mr. Markham asked that a letter be sent to the Board of Selectmen in Westford.

Correspondence in office by Thursday to be reviewed by Sel.

Mr. Markham stated that all correspondence for the Monday night meeting should be in the office by Thursday afternoon so that the Selectmen would have time to review this material before the meeting. The agenda would be made up on Friday.

Permission for Bd.of Appeals to use Tn.Counsel

On a motion by Mr. Hart, seconded by Mr. Murphy, it was unanimously voted to allow the Board of Appeals permission to contact Town Counsel regarding the Riopelle case.

Letter regarding road conditions on Crooked Spring Road.

Mr. Markham read a letter from Mr. William Dempster, regarding the conditions on Crooked Spring Road. Mr. Markham also had a telephone conversation with Mr. Al Woods regarding this road. He stated that he had viewed this situation and the condition is of a very dangerous nature and does need almost continuous repairing by the Highway Department. Mr. Markham asked that the Board members view this situation and he would hold this letter on file. Mr. Hart stated that this has come before us quite a few times. If this information is correct,what are you supposed to do. This is a site development for homes. Mr. Markham stated that there is the safety factor, the Town's expense to continuously repair this road, and are they acting within the by-laws. The Board agreed to refer this matter to the Building Inspector and have him report back to the Board and also have the members of the Board view this situation regarding the damage done to the road and the safety factors. Mr. Lannan asked that the Police Department be notified to have the trucks slowed down in this area.

Recycling report for month of January and February

Mr. Markham read a letter from Mrs. Ina B. Greenblatt, Environmental Advisory Committee, regarding the paper recycling effort for the months of January and February, 1973. Total tonnage recycled, 31 tons; received for paper, $254.20; incineration fees saved, $205.50; trees saved, 583. Mrs. Greenblatt also reminded the Board that this recycling was again accomplished with no additional expense to the Town. Mr. Hart stated that there is not an additional expense but that these men would be doing some other work in the Town, it is costing us money to have this work done.

On a motion by Mr. Lovering, seconded by Mr. Lannan, it was unanimously voted to renew the Auctioneer's License for Joseph Chandonet.

Renewal of Auctioneer License

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to renew the Auctioneer's License for George R. Dupee.

Auctioneer Lic. renewed

Mr. Markham read a letter from the Building Inspector stating that he had turned the matter of the Spaulding Property over to Town Counsel.

Spaulding Prop. turned over to Town Counsel.

Mr. Markham reported a situation that developed on Saturday evening with a break in the road on Fletcher Street. It was necessary to have the Police and Highway Department go to Fletcher Street. Mr. Markham asked that the both of these departments submit the costs incurred. The telephone representative reported that the bills should be submitted to the contractor; J. Biotti & Sons, P.O. Box 83, Newton, Mass. Mr. Hart stated that when we allowed them to do this work, they said they were not going to rip up the roads. Mr. Lannan stated that there was no place else but the road on Fletcher Street. Mr. Hart stated that they could have waited to do Fletcher Street. Mr. Markham stated that now that we do have the contractor, we can contact him directly and also we can give the contractor's name and address to the Police and Highway Departments.

Break in road on Fletcher St.

On a motion by Mr. Lannan, seconded by Mr. Hart, there was a majority vote to transfer the gasoline storage license from William & Margaret Hennessey to Disc Realty Trust, 269-273 Littleton Road. The vote was Mr. Lannan, Mr. Hart, Mr. Murphy, Mr. Markham in favor, Mr. Lovering abstaining, as he needed more time to make a decision. The motion passed, 4 in favor, one abstaining.

Vote to transfer gasoline storage license

On a motion by Mr. Lannan, seconded by Mr. Hart, it was voted by a majority of the Board to deny a Taxi Cab License to Richard C. Tanner, based on a report we have received. Mr. Lovering asked if the Board normally put such applications on file or do we just dispose of them. Mr. Lannan stated that this is a decision of the Board. The Board agreed to allow Mr. Tanner to speak. Mr. Tanner stated that he has been driving a taxi for six (6) years; three (3) years in Chelmsford, and also Tewksbury and Billerica. He stated that he thought he knew what was in the report. He also stated that he has had a clean record for the last ten (10) years. He stated that he has been driving on a Billerica license in a Billerica cab. He stated that there are two cab companies operating in Chelmsford, one of which is operated out of Billerica Center. They don't have any cabs left, they are killing the cab service. Mr. Tanner stated that he could supply 500 character references within the Town of Chelmsford alone. Mr. Lannan, Mr. Hart, Mr. Markham, and Mr. Murphy in favor of denying the license; Mr. Lovering opposed to denying the license.

Deny Taxi Cab License to Richard Tanner.

Request of League of Women Voters for questions answered by Sel. regarding Low & moderate income housing.

Mr. Markham stated that the League of Women Voters would like the Board of Selectmen to address these three questions regarding low and moderate income housing: 1. Is there a need? - 2. What might Chelmsford's role be? - 3. If the state gives us a directive, how can we respond? They wanted the Selectmen's answers because they are scheduled to meet with the State on March 20th, 1973. Mr. Hart moved that if they had any questions, they could call us at home. Mr. Lovering stated that he could not make meaningful comments of this letter, he would require assistance from the group. Ask them to get back to us when it is convenient so that we can pursue this. Mr. Markham requested that the Selectmen's office communicate back to Mrs. Maybury as he agreed that we do need some further information pertaining to the questions, even though they may have had a meeting with the Housing Authority. A member of the Housing Authority should also be present. Mr. Murphy stated that he thought they wanted to talk to us, they have already talked to the Housing Authority. Mr. Hart stated that I would have them go to the Housing Authority. I think that is where their job will continue after they finish the project they are working on.

Information regarding North Chelmsford Training School

Mr. Lovering reported on the lengthy tour of the facility at the County Training School in North Chelmsford. He believed that the Board should go on record via a written letter to the County Commissioners reinforcing the Board's request of January 16th, 1973, where the Board informed them of interest of utiliation of some of the facilities at the Training School. We should go on record to the County Commissioners that we have an interest in the area particularly in one or twp of the buildings or ask them that we can place a reservation that no further decisions are made by the County Commissioners and we plan to come up with. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unanimously voted to send a letter to the County Commissioners renewing our earlier interest in the facility. Mr. Markham stated that the Board had also received a letter from the Recreation Commission to use the facility. Mr Markham stated that the Board would receive plans from the entire site of the Training School and some of the Buildings. Mr. Lannan asked what would be the intent, would it be the intent of the Board to take some decisive action to acquire a piece of property. We should make this decision while the present town meeting is going on instead of holding a special town meeting. Mr. Hart stated that we have to come up with some decisions of what we are after, what the costs are going to be. We need some of these figures and estimates. I think Mr. Lovering's motion is correct. Mr. Lovering stated that he would suggest that we have a meeting of the Board to discuss what plan of action, a separate meeting in time to allow for some action at Town Meeting. Mr. Lannan stated that if we call a special town meeting within the town meeting, we would have enough people to give their views. Mr. Markham stated that he would be in contact with Mr. Tsongas as the County Commissioners had a meeting today and he would inform the Board what resulted from this meeting. Mr. Lannan stated that acquiring of the building should not have anything to do with the Recreation Commission. Mr. Markham stated that this would be separate. Mr. Markham stated that he has many uses of the property for the Town of Chelmsford. We have to know what buildings are available to us. If we are considering use of the other buildings for Recreation and Senior Citizens, it might be arranged to have them view these facilities in the immediate future. Mr. Murphy stated that the Board just has a site plan and there is not enough date to make a study. We also have to involve the Finance Committee. Mr. Lovering stated that this Board needs an hour or two alone to discuss this. Mr. Murphy stated that we do not have enough data, I could only speak in general terms. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unanimously voted to send a separate letter to the chairman of the Committee on Counties, Mr. Flaherty and Mr. Tully stating our interest in the property. They are in charge of overseeing the disposal of the training school property.

On a motion by Mr. Lovering, seconded by Mr. Hart, it was unanimously voted to send a letter to the County Commissioners regarding the request of the Recreation Commission to use the facility.

On a motion by Mr. Hart, seconded by Mr. Lannan it was unanimously voted to correct the problems for the Recreation Commission at the Chelmsford Street Little League Field and also provide fill at the field at the Highland School.

Rec.Comm.
to correct
problem at
Chelms.St.
Little League
filed.

Mr. Markham stated that in line with the two most recent developments, Anabasis House and the Hick's gas station, there have been questions in regard to the revisions to our building codes and zoning by-laws. We should ask the Town Counsel to review these by-laws, conduct research and make recommendations back to the Board in the form of articles for the next special or annual Town Meeting, replacement, structure, family, requirements as to whether or not the building Inspector should have plans on file, what is meant by the 50% within each year or in a 12 month period or what is it. The Town Counsel has been in attendance and I am aware of these questions. Mr. Lovering asked if there was any way we could get an estimate before we embark on this. Mr. Murphy stated that it is out of order, it is the province of the Planning Board. They should improve this wording. You are going to pay a horrendous bill. Mr. Markham stated that we could ask Town Counsel for an opinion to those comments pertaining to the Building codes. Mr. Hart stated that the Planning Board is making up a new Master Plan. Mr. Markham stated that this is just for a clarification. He asked that a letter be sent to the Planning Board asking what area they intended to cover so that we would not duplicate their action. Mr. Murphy stated that we have some time. It will not be done at this Town Meeting or a Special Town Meeting. Mr. Lannan stated that this is all going to be updated. The problems should be addressed to the Planning Board to include these items as part of their update. Mr. Murphy stated that the update may take place over a two year period. The Planning Board has asked for $10,000. for this master plan. Mr. Markham stated that he would make an inquiry as to the clarification I am not at all attempting to have the Town Counsel revise the zoning by-laws but I think there are questions that we need answers too.

Building
codes and
zoning by-
laws regard-
ing Hick's
gas station
and Anabasis
House.

Mr. Lovering stated that he would like to make a motion that the Board of Selectmen go on record as opposed to Article 73 in the 1973 Annual Town Warrant. This article involves the re-zoning of a parcel of land from a RB (Single Residence District) to an

New
Business

(continued)
New Business

RM (Apartment Residence District.) Mr. Lannan stated that he was not saying that he would second the motion or would not be in favor of it. I don't know what they intend to do there. If after the presentation, the Chairman would poll the members at that time, I would state my position at that time. Mr. Markham stated that this is the same property that there is a hearing on tonight. Mr. Murphy stated that there are some 20 articles in the Warrant that are discussed in a legal way. They should be graphic, they are all legal. I don't know where they are. I think it is our intention to have view graphs available the night of the Town Meeting so that the people can be made aware of this. Mr. Hart stated that the handling of the actions at Town Meeting wasn't what it should have been last Monday night. We should make people aware of all the articles sponsored by the Selectmen. I know we had material available for the addition to the Police Station. I think it should be explained to the people why this should be done. We should also explain the taking of the land for the Fire station. Unless it is a simple matter, we should explain all those articles sponsored by the Board of Selectmen. We should go on record as having the Chairman speak on all our articles or split it up between the members of the Board. We should not let the Finance Committee speak for us, we will talk for the Board of Selectmen. Mr. Markham stated that he would agree. It has been the practice of asking the Department heads to make their presentation. The Selectmen should present the budgets from the Departments that they represent broken down into 12 months for 1973 and six months for 1974. Mr. Hart stated that he didn't think the press was aware of when it was stated that the three departments remained within the 5.5% guideline. I think that when the 5.5% went out of effect, it was explained that they were supposed to stay within those guidelines. They should be commended for their actions, I don't think that it was really brought out like it should have been. Mr. Lannan stated that one of the things that he was amazed at was so many of the people who are going to receive salary increases much higher than the 5.5%. We had been laboring under the impression of the 5/5% guidelines. I even made the same statement about the precinct workers with the 5/5% guidelines. They are underpaid. If the salary increases prevail at Town Meeting, that are announced, I would make a motion that our precinct workers also receive an increase.

Mr. Murphy asked that the report from Rep. Keverian be discussed next week.

Mr. Lannan moved for the appointment of Martin A. Gruber for Animal Inspector, Mr. Hart seconded the motion. Mr. Markham stated that the chair would not accept a motion at this time for any appointments. He told Mr. Lannan he could place this on the agenda for the next meeting. It is not necessary to make such appointments tonight. I think that the members should be notified in advance of appointments to be made. Mr. Lovering stated that he thought as a matter of practice, it is extremely important to place items of appointment on the agenda in advance because he thought it is a service to the public that we should provide. Mr. Lannan stated that it has been a practice and I will stick to that practice; if any member requests a hold on that appointment. Mr. Markham stated that he was just questioning the procedure. Annual appointments of this nature should be agended. The Chair would then accept a motion. Mr. Hart stated that he didn't think that we took a vote on this procedure. Mr. Lannan asked if the Board of Selectmen would only be able to vote on agenda items. Unless a hold is requested, I will let my motion stand. Mr. Murphy moved to question the chair. Mr. Lannan seconded the motion. This is the placing on the agenda, this evening, the re-appointment of the Town Animal Inspector. Any further discussion to place the item on the agenda this evening? The decision of the chair to place this item has been challenged. Mr. Lannan, Mr. Murphy, Mr. Hart in favor of challenging the chair. Mr. Markham and Mr. Lovering opposed. Mr. Murphy asked that this appointment be placed on hold. Mr. Lannan stated that based on a hold request by Mr. Murphy, he would withdraw his motion. Mr. Lannan asked that the Board review the awarding of bids so that we can get the equipment. He moved that this be put on the agenda for next week. Mr. Lovering asked if this can be done before the final appropriation. Mr. Lannan answered yes.

(Continued)

New Business

Mr. Markham stated that the Board has agreed upon the use of a Citizens Activity Report for residents to fill out if they are interested in appointments to Committees.

Mr. Markham asked that a New England Power be scheduled to meet with the Selectmen next Wednesday night at 8:00 P.M. Mr. Murphy asked who would notify everyone who was here tonight. Mr. Lovering stated that the Board took this under advisement, legally they don't have to be notified. Maybe a telephone call or two to some of the people involved.

On a motion by Mr. Lovering, seconded by Mr. Lannan, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 11:45 P.M.

Respectfully submitted for
The Board of Selectmen, by,
Marion C. McCready

Regular Meeting of the Board of Selectmen held March 21st, 1973, commencing at 7:30 P.M.

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Hart, Mr. Lannan and Mr. Murphy. Mrs. Haines was also present. Mr. Markham presided.

Members presen

Members of the press that were present: Lowell Sun, Mr. Gus Webster (7:50 P.M.) Chelmsford Newsweekly, Mrs. Ann Marie Kierce, Chelmsford Sentinel, Mr. Jerry House.

Members of press present.

A hearing for a joint pole location on Manahan Street to be utilized by New Eng. T&T and Mass. Electric was rescheduled as the wrong abutters were notified. Mr. Crane, rep. from Mass. Electric, stated that the reason for said petition for the pole location is for the purpose of connecting a pole located at or near KSC building running over Penn Central property to a pole located on Manahan Street for the purpose of servicing the new shopping mall. This will be 23,000 KV cable. This cable will be underground and the voltage would be reduced as it goes through the transformer.

Hearing re-scheduled - Manahan St. pole location

Mr. Markham referred to the ad for bids for the septic system in the Town Hall. It read that clearly marked sealed bids were to be delivered to the office of the Purchasing Agent prior to 12 noon, Tuesday, March 20, 1973, and will be opened and read aloud at 1:00 P.M., Tuesday, March 20, 1973. The Board agreed

Bids to be opened by Bd. of Selectmen

that the practice should continue whereby the Purchasing Agent advertises for bids and has them come to his office and a time be designated where these bids will be opened and read aloud by the Bd. of Selectmen at their regular meetings. The Purchasing Agent will be notified of this practice.

Permission granted for Fields to open on Sundays from Mar. 25-June 15, 1973-Garden Center

Mr. Markham read a request from Albert Feldman, Manager, J. M. Fields, asking permission to open Sundays between the hours of 9 A.M. and 3 P.M. to sell "Garden Supplies and Plants" only from March 25th, thru June 15th, 1973. Mr. Lovering stated that he did not have any objection to granting this permission but stated if the Board so voted, they would have an opportunity to express to the manager of Fields in this letter, comments on this area. We could ask their cooperation in cleaning up some of that area so that it would be more acceptable to the residents of the Town. On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to grant permission to Fields to open as requested and also include in this letter a request to clean up the grounds. Mr. Lannan stated that if find a disorderly area, the Board could revoke the permit. Mr. Lovering stated that his concern was not just with the Garden area, but the entire lot, every aspect of this lot. Mr. Markham stated that this property has been addressed by previous Boards of Selectmen.

Vote to Invite Mgr. of J. M. Fields to meet with Selectmen

Mr. Markham read another letter from Mr. Feldman, J. M. Fields, which stated that they were planning an outdoor Mardi Gras type promotion about May 23rd thru June 2nd, 1973, using about 10,000 sq. ft. of their parking lot. They requested to be advised if there were any ordinances, etc., which would prohibit this type of sale. Mr. Lovering questioned what a Mardi Gras was, would there be dancing, food served, what would this consist of ? Mr. Markham stated that there is a request for a carnival by the Jaycees at the Field's parking lot. On a motion by Mr. Lannan seconded by Mr. Hart it was voted four in favor one opposed to invite the manager of J. M. Fields to come and meet with the Board to discuss the planned Outdoor Mardi Gras. Mr. Murphy was opposed. He stated that he would like to see this handled by mail. If we invite everyone in, we will not get anything else done. Mr. Lannan, Mr. Hart, Mr. Markham and Mr. Lovering were in favor of this motion.

Treasurer/Collector informed Bd. of engaging services of Tax Title Expert

Mr. Markham read a letter from Philip J. McCormack, Treasurer/Collector advising the Board that after conferring with Town Counsel, he was going to engage the services of Tax Title Expert, Attorney James Coppola from Lynn, Mass. Mr. Coppola, whose practice is limited to serving municipalities, will examine the Tax Title Accounts and will take action to foreclose on delinquent taxpayers. Mr. Lannan stated that we should see if he has sufficient funds for this purpose. Mr. Markham stated that it was his understanding that he has budgeted for this purpose and he is just advising this Board what he is contemplating.

Final Arguments D & B - Riverside Realty Trust

Mr. Markham read a letter from Town Counsel re: D & B and Riverside Realty Trust stating final arguments were presented before the Housing Appeals Committee on Wed. Feb. 28, 1973. Trial briefs are scheduled for March 22, 1973. After that, we'll await the decision of the Committee.

Mr. Markham read a communication stating that Robert Hall will represent the School Committee on the Youth Center Committee for the 1973 school year.

Mr. Markham read a communication from Paul A. Schneiders, State Representative, urging the Selectmen to suppor t House Bill 769. This bill would force towns that have not yet assessed their property at full and fair cash value, as the law requires, to do so or suffer a severe penalty. Mr. Lannan stated that last year the Board took a position on this. We should be in favor of forcing the rest of the cities and towns to go to the 100% evaluation. There would be equal distribution of the tax dollars collected by the State. Mr. Murphy stated that this is another bounty bill and bills of this nature have little chance of passage in the State Legislature. This particular bill is not a desirable bill to sponser. Mr. Hart stated that it should be brought out publicly that there are people in favor to make people abide by the law whether it has a chance of passing or not. On a motion by Mr. Hart seconded by Mr. Murphy, it was unanimously voted to send a letter to support House Bill 769 and also to send a letter to our representative. Mr. Murphy stated that the hearing has already been held and there are probably 20 bills attacking the problem. All you could get was the sense that something should be done to right the wrong. There has not been a report out on any of those hearings.

Vote to support House Bill 769 - 100 % valuatio

Mr. Markham read a letter from Bradford O. Emerson regarding the traffic hazard at Route 129 and Central Square. He urged the new Board of Selectmen to undertake a fresh approach to this most critical problem. He asked them to give this matter a high priority. The Board agreed to meet with Mr. Emerson and the other businessmen of Central Square on a night separate from a regular meeting to discuss any plans and suggestions. Mr. Markham stated that this Board would need citizen's support. Mr. Hart pointed out that the Board discussed this matter about a year ago and there are diagrams on file with the Police Dept. regarding the rerouting of traffic. The traffic light won't be the answer and the police officers caused more problems than it helped. We need to move some traffic out of that intersection. We do have some plans that we haven't tried, we could discuss these. Mr. Murphy stated that he would like to see these plans and include the TOPICS plan on traffic flow. Mr. Lannan stated that Central Square and Rte. 129 were included as a priority in the TOPICS plan. Mr. Lovering stated that the whole issue of traffic in Town is becoming more and more critical. This Board is going to have to address the traffic as a major issue. We have to decide what the impact will be costwise to refurbish the streetsin the town. Mr. Lannan informed the Board that the signs that were to be erected on Summer St. were turned down by the Dept. of Public Works. Mr. Markham suggested that the Board might meet with the Dept. of Public Works.

Traffic Hazard Rte. 129 and Central Square - B. Emerson

Mr. David Beatti, representative of New England Power met with the Selectmen to discuss the hearing regarding New England Power Company's request to construct and maintain transmission lines over certain public ways in Chelmsford for the purpose of improving electric service in the area. Mr. Beatti stated that the Bd. of Selectmen gives them the right to cross the streets, the rest is done by the D.P.U. If we don't get the line, we apply to the D.P.U. to take the land by eminent domain. They will negotiate right up to the end with the property owners. Mr. Beatti showed the Selectmen a plan where these lines would go. He also stated that they would not be taking three houses. Mr. Leonard Dailey asked if N.E. Power had decided on how many feet of right of way they needed to go across Bricklyn Road. There was a question of 30 to 100 feet. He also stated that we talked last week of three houses being taken away. They are not going to widen them there, they are widening them where it is convenient. These rights are not uniform throughout the Town. In other places, they have made other arrangements. No new land should be granted to these people to put these hideous things in the air. This is what I would like the Board to consider. Mr. Hart stated that this has nothing to do with us, we can just let them go across the roads. Mr. Markham stated as far as private property, that is up to the property owners and N. E. Power to arrive at a settlement. Mr. Beatti stated that N.E. Power tries to negotiate in the best possible manner and if we are still at a stalemate, we appeal to the D.P.U. to give us the right to take this land by eminent domain proceedings. On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to grant permission to N.E. Power to construct and maintain transmission lines over certain public ways in Chelmsford for the purpose of improving electric service in the area.

Vote to grant N.E. Power to construct and maintain transmission lines in Chelmsford

Mr. Lovering opened and read a bid from Alpine Sewer, 39 Old Westford Road, for the septic system for the Town Hall. The bid was in the amount of $3,040.60.

Bids for Septic System

Bids for Septic System

Mr. Murphy opened and read a bid from R.H. Greenwood, 295 Littleton Road, according to specifications for $2,482.00. Mr. Lovering stated that the bid he read was for 30 days. Mr. Markham suggested that the bids be sent to Mr. Morris to see if they are in compliance with the specifications. Also, Mr. Morris has provided this Bd. with a plan that was sent out for bids.

Bldg. Insp. Rpt. - Feb.

The Bldg. Inspector's Report for the month of February is as follows: No. of bldg. permits issued, 8; Total Valuation, $352,662.00.

Appoint Weighers of Merchandise

On a motion by Mr. Hart seconded by Mr. Lovering, it was unanimously voted to appoint the following as Weighers of Merchandise for Southwell Combing Company: George Fournier, Ted Magiera, Paul Westwood, Edward Whitworth, Charles Hacking and Lillian Cabana. All terms expire 3/1974.

SHARE Contract in good order

Mr. Markham read a communication from Town Counsel stating that in accordance with the Board's request, he had reviewed the contract proposed by SHARE and find it in good order. He recommended that the Board instruct him to inform Mr. Bernstein to submit the contract for acceptance. Mr. Markham stated that the contract will be coming back for final approval before the Board.

Hghy. Supt. - Gage Lane

Mr. Markham stated that a memo was received from the Highway Supt. stating that Gage Lane in So. Chelmsford has been graded and leveled. Also a communication was sent to Mr. Mark Mulligan, Chairman, Westford Bd. of Selectmen requesting a meeting on this matter.

Boatman's Dog removed from Town

Based on the hearing held last week regarding the Boatman's dog, Mr. Wojtas, Dog Officer, has informed this office that on Friday, March 16th, 1973, the Boatman dog was removed from the Town. Mr. Markham asked that a report be obtained from the Dog Officer concerning the female dog. He should also see if the female dog is being restrained.

Transfer Used Car License from T.F. Larson to Gerald Martin pending police check

Mr. Markham read a letter from Toure F. Larson requesting a transfer of a 15 car license to Gerald Martin. The date of this transfer would be April 2, 1973. Mr. Larson and Mr. Martin were both present at this meeting. Mr. Larson told the Bd. that he sold the service station. Mr. Martin realized that the principle business was the service station. Mr. Martin stated that he had done this type of business and that he did not have a police record. Mr. Lovering asked what the usual procedure was in transferring a license. Mr. Hart moved to grant the transfer after a police check on Mr. Martin. Mr. Lannan seconded this motion based on the information that there has been no motor vehicle violations. Mr. Hart stated that Mr. Martin is a member of a family that has always conducted themselves with the highest standards and quality. The motion passed unanimously.

Vote to Withdraw application - Larson

On a motion by Mr. Hart seconded by Mr. Murphy, it was unanimously voted to withdraw without prejudice Mr. Larson's application to Buy, Sell or Exchange Motor Vehicles on Butterfield Street.

Schedule meeting with Mr. Carpenter - Chelms Theatre Corp.

Mr. Markham stated that the Board has had a telephone request from the Chelmsford Theatre Corp. for a transfer of the Common Victualuer Licence and also the Sunday Entertainment License. Mr. Lannan stated that it should be taken up at this time the purpose of determining when this business was sold and when theis business was sold, this Board was never notified of the transfer. A Common Victualuer License is from this Board. This transfer must come before the Bd. of Selectmen for an approval of transfer. It is not a renewal of the license. We should ask Mr. Carpenter to come before the Board. Mr. Lovering stated that he was interested in asking him about the type of entertainment he plans for the Town of Chelms. The Board agreed to set up an appointment with Mr. Carpenter.

On a motion by Mr. Hart, seconded by Mr. Murphy, it was unanimously voted to grant permission to the Treasurer/Tax Collector and the Town Clerk to contact

Town Counsel to interpret the Personnel, Wage and Salary Administration By-Law, Sec. 4 b.

Mr. Markham stated that the minutes of meetings for Feb. 12, Feb. 21, Feb. 22 and Feb. 26, 1973, will be on the agenda for next week. Mr. Lovering stated that some of the Selectmen have talked about the possibility of using a cassette. This is a normal means of recording minutes and the recording secretary narrates the highlights of the meeting. She condenses the meeting and the cassette can be kept on permanent file. It would be a better guarantee of having what is said. I think it should be puart of our study to examine our procedures. The Board agreed.

Minutes to be approved at meeting 3/28/73

Mr. Markham stated that the Board received a communication from the office of the Assessors. This communication contained a list of projects that could be done to a residence that would not increase assessments and projects that would increase assessments. Mr. Markham stated that this information should be made available to the Townspeople.

Comm. from Assessors

Awarding of bids - Mr. Markham stated that we have only one bid for the Fire Dept. sedan. We are in receipt of a recommendation from the Fire Chief that this bid meets his specifications. Mr. Lovering asked if any other companies were solicited. Mr. Hart stated that they were but Hallissey usually bids low so that a Chelmsford company would get the bid. On a motion by Mr. Hart seconded by Mr. Lannan, it was unan. voted to award the bid for the Fire Dept. sedan to Hallissey Chevrolet, in the amount of $2,849.00 including trade in. on a motion by Mr. Hart seconded by Mr. Lovering, it was unanimously voted to award the bids to the lowest bidders as recommended by the Purchasing Agent and Highway Supt. for Articles 17, 18, 19 and 21. Mr. Markham stated that we have received a communication from Marinel for the bid for Public Bus Transportation. Bus Service for North Chelms.and Chelmsford Center to Kearney Square, $22,700.00. Alternate Bid for Bus Service from East Chelms. to Kearney Square $9,000.00. Total amount for service, $31,700.00. Marinel informed the Selectmen that 75% of the passengers are youth and senior citizens who ride at reduced fares. Mr. Lannan stated that the $31,700.00 figure includes $9,000.00 for East Chelms. which we do not award until the time that Billerica stops coming through. Mr. Markham suggested that we communicate with the Bd. of Selectmen in Billerica or the transit company to see what their plans are for E. Chelms. The Bd. agreed.

Awarding bids- Fire Dept. Sedan, Hghy. Equip., Bus Trans.

On a motion by Mr. Lannan seconded by Mr. Murphy, it was unanimously voted to nominate Dr. Martin A. Gruber,Animal Inspector for the Town. Mr. Markham stated that the appointment is made by the Dept. of Agriculture.

Dr. Gruber apptd. Animal Inspector

Mr. Murphy stated that there has been some discussion about how we go about making appointments. He has done some study on this matter. There has been some comment that there are more employees than citizens at large on committees. He also stated that there are some discrepancies between the list of appointments to be made and the Town Report. He could see no reason to hold up appointments of employees. There are probably close to 50 committees and Mr. Murphy felt that some of these continuing committees should be put to rest. Mr. Murphy gave out a list of appointments to be made to the Bd. members. They are grouped in three categories. This listing includes the terms of office, number of openings and the people who are serving terms whose term is up this year. Mr. Lovering suggested interviewing the employyes to be appointed and have them inform the Board of some of the problems they have serving in that capacity. They could educate the Board. Mr. Lannan stated that some of these appointments have to be made within a certain period of time. Normally, we have appointments every week. A member can ask for a hold to be placed on any of these appointments. Some of these we should not hold on. There is not one to take that person's place. There must be a continuity of office. Mr. Hart agreed. Mr. Markham stated that he would prefer to see appointments made on a scheduled basis. Mr.

Discussion on Appointment

Hart stated that he did not disagree with Mr. Markham, but we have one appointment that has to be made according to the Bldg. Code By-Law. It states that the Bldg. Insp. has to be appointed by the Selectmen during the month of March. I plan to make that motion at the present time. Mr. Hart stated that as far as he was concerned the present Bldg. Insp. has done an excellent job. This has become a very difficult job. Mr. Lovering stated that we could review this and in the next week or two, we could accomplish 80 or 90 % of the appointments. Mr. Markham stated that we could agenda the unappointed for next week and also the citizen's appointments. Mr. Markham stated that he would like to have the members aware of all the appointments as they come up. Mr. Lannan stated thatevery member has the right under the Mass. General Laws to do what is right for the Town. Mr. Lovering stated that he concurred with Mr. Lannan that a Selectman can bring up anything he desired at a meeting, however, he felt just as strongly that these meetings have an agenda that the Board can follow. Mr. Lannan stated that if it is not on this piece of paper, the Chair will not entertain the matter. Mr. Markham stated that this is not true, that is just on appointments. Mr. Hart stated that it is the right of the Board to bring up under new business any matter, it is not the right of the Chairman not to accept new business. Mr. Markham stated that any member has the right to challenge the chair. Mr. Murphy asked if the Board agrees, he would provide copies to the press so that they can inform the citizens of the committees that have vacancies.

Discussion regarding redistrict

Mr. Murphy stated that he was directed by the Board to contact Rep. Keverian regarding the legislative redistricting. Mr. Murphy stated that basically it comes down to an explanation of what the redistricting looks like now. The plan now is for Precincts 2 and 7 in North and Precincts 4 and 11 in East and the Westlands to be part of Lowell. Chelmsford would have three different representatives. The committee starts at one boundary and works the problem. The result is that the Town of Billerica will also be carved into 3 districts. Mr. Murphy moved that it is his recommendation that Chelmsford should remain in 2 pieces and I would recommend that the Bd. of Selectmen write to our representative and to Rep. Keverian and ask again that we remain in 2 districts. Mr. Hart seconded Mr. Murphy's motion. The motion passed unanimously. Mr. Lovering suggested that a copy of Mr. Murphy's correspondence be sent with the letter. Mr. Murphy stated his concern was if we are in 2 pieces, each piece would have a big enough vote. Mr. Murphy's Redistricting Report is on file in the office.
Mr. Markham appointed a sub-committee to establish meeting rules, agendas, hearings and procedures. Mr. Markham appointed Mr. Murphy, Chairman Pro-Tem, Mr. Lovering and Mr. Hart.

Discussion regarding facilities at Training School.

Mr. Markham stated that we had a motion pertaining to correspondence to go to the County Commissioners further indicating our interest to go to the Training School Facility. I have talked to Commissioner Tsongas and he has not had any definite communication from the other Commissioners except that they are very definitely interested in receiving a proposal from the Town of Chelmsford. He has authorized the Board to have someone go over and check the square footage of the buildings that we are interested in, not only for space, but for cost purposes. In the letter we are going to send to the Commissioners, we should further expand that a specific proposal will be forthcoming from this Board to the County Commissioners, and also to the Chairman of the House Committee on Counties. Mr. Markham suggested that the Board could meet with the Finance Committee for possible uses of these facilities for the use of the Town before we depart tonight. Mr. Markham suggested appointing Mr. Lovering as a liason on this project and stated that the Board might also have to appoint a sub-committee. On a motion by Mr. Markham, seconded by Mr. Lannan, it was unanimously voted to appoint Mr. Lovering as a liason for this project to coordinate and expedite the use of the facilities at the Middlesex County Training School. Mr. Lovering stated that it would be best for the Town of Chelmsford to develop a program to use some of the facilities and present this on the Town Meeting floor. We could do this in terms of a Special Town Meeting within the Annual Town Meeting. He asked if it would be appropriate to have discussion with Town Counsel to develop an article giving the Board some type of authority. Also, before we communicate with the County Commissioners, it would be good to have some of the communities interested. I think it would be much more meaningfull. I would like to ask for the Board's permission to discuss this with Town Counsel to come up with an article, and permission to develop some kind of a program and meet with Town Counsel. Mr. Murphy stated that he would like to make sure that there is wide spread publicity and a complete presentation is given to provide the Townspeople an opportunity to view what they are voting on. Mr Lovering stated that he would envision that to be included as part of the total package. Mr. Markham stated that before we went into a Special Town Meeting, the County Commissioners would allow us to have open house at the facility. Mr. Hart moved, Mr. Lannan seconded, to have Mr. Lovering contact Town Counsel to draft an article. Mr. Lovering stated that when the article was prepared, he would bring it back to this Board to establish a date for the Town Meeting.

Mr. Markham asked if the Board would invite the American Field Service students to attend one of the Town Meetings, and recognize their attendance at this meeting. The Board agreed.

Amer.Field Svee.students attend Town Mtg.

The Board agreed to send a telegram to Sgt. Donald MacPhail indicating that the Town is aware that he is home in the United States.

Telegram to be sent to Sgt.MacPhail

Mr. Murphy stated that, according to the by-laws, the Board of Selectmen have the right to authorize the tearing up of roads and the repairing of roads. The Board must have given the authority to tear up Fletcher Street. I hope that it is not the final way it will look. It looks like a wash board. I am not sure how far the permission was given. I would like to see the area inspected by the Highway Superintendent. I don't think that the work has been done properly, and I would like to see them brought back to repair it. Mr. Hart agreed. They had to go before this Board for permission. I realize that there are some areas on Fletcher Street that have been made a total disaster. They have to come up with a program that is suitable to our Highway Department before they do the rest of the work. Mr. Lannan stated that we have a letter from New England Tel & Tel saying that the ground has to settle. I am sure that they have not finished the work and will come back and fix the street. Mr. Markham stated that it is extremely difficult to contact the contractor. Mr. Hart stated that it was his understanding that they were not going to do any work on the streets until the weather permitted. I understood that they were going to do sidewalk areas and areas along the street. I think it should be required to have the street in a very passable condition immediately, or stop doing the work. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unanimously voted that the New England Telephone Co. be instructed to return immediately

Discussion regarding condition of road on Fletcher St. due to work done by the New Engl.Tel & Tel.

and put the street in proper order.

Deny the request of Zesty Pizza for a Comm. Vict. lic.

Mr. Murphy asked the Board to explain why the Zesty Pizza was opened when it was not granted a Common Victualer's license. Mr. Lannan told the two new Board members that the license was not needed provided no food was eaten on the premises. Mr. Markham stated that a letter was received from Zesty Pizza stating that they had been operating for a month and the majority of their customers want to be able to eat on the premises. They said they had a petition and asked that the Board hold a meeting with them regarding this. Mr. Hart moved to deny. He stated that they came in and asked for a Common Victualer license and the Board denied it. Mr. Lannan seconded the motion to deny. The vote was four in favor of denying; with Mr. Markham opposed stating he would like to at least offer them the opportunity to come before the Board and present their reasons and plans for the future.

High School Football Coach leaving

Mr. Hart informed the Board that Mr. Dave Kerry, Chelmsford High School Football Coach was leaving for another position in Maine. He stated that it would be appropriate to thank Mr. Kerry for the services he has done for the community and the kids. He also stated that he was sorry to see him go. On a motion by Mr. Lovering, seconded by Mr. Murphy it was unanimously voted to send a letter to Mr. Kerry which would be presented by the Booster Club.

Request to hold on re-appointment of Building Inspector.

Mr. Hart moved to re-appoint Mr. Peter J. McHugh, Jr. as Building Inspector. Mr. Lannan seconded the motion. Mr. Lovering requested a hold be placed on this appointment. The Board agreed. Mr. Lovering stated that he had no doubts that Mr. McHugh would get his support, but he wanted to talk to him before the appointment was made. Mr. Hart requested that this be placed as the first agenda item next week. Mr. Hart withdrew his motion to appoint the Building Inspector.

Regarding Sleigh Road: Bond not to be released

Mr. Lannan stated that back on February 22nd, 1973, we held hearings on street acceptances. Mr. William Lavery, of Sleigh Road, brought up the question of a temporary circle. Mr. Lannan asked if a letter on this came before the Board. Mr. Markham stated that there is a letter in the folder, however, he had asked Mrs. Haines to see what the amount of the bond was as he thought this was pertinent. Back sometime ago, the Board wrote a letter to the Planning Board requesting that they do not release any bonds until they have been approved by the Highway Superintendent and Town Engineer. The Board agreed to again address a letter to the Planning Board requesting that they do not release any bonds until they have been viewed by the Highway Supt. and the Town Engineer. The Planning Board makes the requirements for the streets but the Board of Selectmen holds the hearings for these street acceptances. Mr. Lannan stated that we can only ask, not instruct the Planning Board. Now we have a case where the bond has been released and the Town will have to pay for this street. Mr. Murphy asked if this type of procedure could be incorporated into the Town By-Laws. In that way we would have a legal basis. We should consider an article for the next Town Meeting. Mr. Markham stated that we would have to get recommendations from the Planning Board and the Highway Supt. that the bonds have not been released until they are accepted by the Town Meeting. Mr. Hart stated that it should be held until Town Meeting approval to give the

the people involved the right to state their objections. Mr. Lannan stated that the streets are not looked at until after the spring floods.

Support Lowell Mental Health Assoc. (Art.36)

On a motion by Mr. Lannan, seconded by Mr. Hart, it was unanimously voted to support Article 36 at the Annual Town Meeting - Lowell Mental Health Association. Mr. Lannan stated that last year, Chelmsford was one of the few towns in the area who did not support the L.M. H. A.

Report on truck for Dog Officer.

Mr. Lannan asked that the Purchasing Agent furnish the Board with a status report on the truck that is being repaired at Nashoba for use by the Dog Officer.

Discussion regarding the money spent to run office

Mr. Lannan stated that we should amend our appropriation at Town Meeting to take us through the year. We have been using an awful lot of paper and our expense money will not last through the year. Mr. Hart stated that he agreed that a cassette recorder is the way to handle the meetings. Include money for a recorder. Mr. Lannan stated that we will also have to include the money for the appraisals. We have spent about $2,500.00. Mr. Markham asked that the sub-committee make recommendations as to the distribution of communications to this Board and how they would like to receive their correspondence.

Discussion of article reg: land at Old Westford Road

Mrs. Kierce of the Newsweekly, asked why the appraisals for Old Westford Road were made by the Town as this article came in by petition? Mr. Markham stated that the petitioners expressed grave concern about the procedures for getting a valid appraisal and would the Town except these figures? The Board of Selectmen agreed to co-sponser the article and agreed to have the appraisals made out of the expense account. Mr. Hart stated that there are a lot of articles co-sponsored by the Selectmen but this did not mean that the Board was in favor of these articles. Mr. Markham stated that when we agreed to co-sponser the article, we also agreed to support the article and I still support the article. Mr. Hart stated that he did not support the article. Mr. Murphy stated that he would not support the article. Mr. Hart stated that the cost would be high for any land taking for recreation purposes. I don't believe the article was correct and I don't believe they want to take the land for recreation purposes. Mr. Murphy stated that the Board of Selectmen should take a position on the article before spending any funds. Mr. Lannan stated that the Finance Committee stated that we should pay for the appraisals. The article was written so that the Town would take the land, we had to accept the article. Mr. Lannan stated that he would be against the article. The appraisal price is up around $40,000.00. The cost will be from $80,000 to $100,000 for that piece of land. Mr. Lannan stated that if we were to accept this at Town Meeting, people by petition could ask the Town to take any piece of property because they didn't like what was there. Mr. Murphy stated that there would have to be a need. Mr. Lovering stated that he supported the article for Old Westford Road.

Meeting adjourned.

On a motion by Mr. Lovering, seconded by Mr. Hart, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 10:12 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen, held March 28th, 1973, commencing at 7:30 P.M.

Members Present.

Members present were: Mr. Markham, Chairman; Mr. Lovering; Mr. Murphy; Mr. Hart and Mr. Lannan. Mrs. Haines was also present. Mr. Markham persided.

Press present

Members of the press present were:
Chelmsford Newsweekly; Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Discussion regarding the appointment of Mr. Peter J. McHugh, Jr. as Bldg. Insp. and requirements reg: Bldg. Insp.

Regarding the appointment of the Building Inspector, Mr. Lovering stated at the meeting last week that he requested a privilege of the Board to delay consideration of this appointment. He wanted to indicate to the Board the results of his discussion with Mr. Peter McHugh, Jr. Mr. Lovering stated that his reason for asking for the delay was to discuss with Mr. McHugh his philosophy concerning the administration of his position. He stated that he has done that, and he and the Building Inspector have talked about various subjects. Mr. Lovering felt that 1: there should be aggressive enforcement of the building and zoning requirements. He stated that he was concerned that the existing requirements are not aggressive enforcement on behlf of the citizens of Chelmsford. Mr. Lovering stated that he had received the assurance of the Building Inspector that his philosophy was in consonance with his: 2: Communication with the Board of Selectmen. Mr. Lovering stated that there have been occasions where requests or information had not been answered to the Board. Mr. Lovering stated that he wanted to relate to the Building Inspector that good communication between him and the Board would exist. Mr. McHugh assured him that it would. Mr. Lovering stated that the main area that we discussed was the subject of Building permits. In the Town of Chelmsford, when a person applies for an application for a building permit, the applicant is not required to file with the application, a copy of the plans for the structure. Mr. Lovering stated that he considered this to be somewhat questionable, Mr. McHugh and I do not agree on this subject. Mr. Lovering stated that he has checked the towns of Dracut, Tewksbury, Concord, Billerica, Carlisle and the City of Lowell and all those require a copy of the plans for new dwellings and remodelings to be on file with the application. Mr. Lovering stated that he believed that this is good practice, he did not agree with Mr. McHugh. Mr. Lovering continued stating that he would consider Mr. McHugh for reappointment, I will support him in line with our discussion, but I think in the area of building permits, that copies of plans be kept on file in the Town Hall. Mr. Lovering moved to nominate Peter J. McHugh, Jr. for a year appointment noting that the Board of Selectmen request his cooperation with regard to the subject of aggressive enforcement of our requirements, communication with the Board and particularly with the filing of plans with building permits. Mr. Hart seconded this motion. Mr. Lannan asked if this was conditioned that plans must be filed with the Building Inspector. Mr. Lovering stated that he would not make the motion conditioned on that. It is so basis to business practice. I hope that Mr. McHugh will understand that. Mr. Lovering stated that the present mode of operation is that, under no circumstances does he require plans except in the area of large industrial developments.

If the other communities consider it good practice, it is a way of knowing exactly what the approval has been given for. At a later date you could determine whether the dimensions have been exceeded. Mr. Hart stated that they may just have a hand drawn plan. Mr. Lovering stated that this is okay, I am talking about basic sketches and dimensions. Mr. Hart suggested that we have the Building Inspector come before us and know what we want. Mr. Murphy stated that he thought it was important that the Building Inspector be able to communicate relatively quickly with the community. We should discuss the adequacy of support. He does not have the clerical help. Mr. Lannan stated that the Building Inspector has spent more time in court because of Russell Mill Pond. He only works four hours on Tuesday morning, and two hours Thursday evening. Mr. Markham stated that there have been several things that he has been concerned about over the past several months. There has been problems of communication. He stated that he thought Mr. Hart's suggestion to invite the Building Inspector was a good one, but the Town Counsel should also be present at a meeting and for the Building Inspector to get the feeling that the Board will support him in his efforts on zoning and building codes, and also to establish proper communication with this Board and Town Counsel, so that this Board will be informed on a regular basis of what has taken place between all three parties. I find many of the things he thought were being handled by Town Counsel; Town Counsel thought was being taken care of by the Building Inspector. As a result of this, we did not get any feedback. Mr. Markham stated that he would support Mr. McHugh totally in his efforts and if he has any particular problems beyond that, he can bring it to the Board immediately. If we are going to leave those words on the application, we should have the plans. I would hope that with the motion that is being made, that this Board is interested in a strong, fair and equal enforcement of the Town zoning by-laws and that we further indicate to the Building Inspector that we support him in this area. The motion passed unanimously.

(Continued)
Discussion
reg: appt.
of Peter J.
McHugh, Jr.
Bldg. Insp.
and requirements reg:
Bldg. Insp.

The Board then met with Mr. Alfred R. Carpenter, new owner of the Chelmsford Drive-In, for purposes of transferring the Sunday Entertainment and Common Victualer license to the new corporation. Mr. Carpenter stated that the corporation structure was basically the same and just the name would be changed from S.B.C Chelmsford Theatre Corporation, to Chelmsford Theatre Corporation. The officers would remain the same. Mr. Carpenter asked also for a fifty-two (52) week Sunday Entertainment License instead of the previous one for only thirty (30) weeks. He stated that in winter this would allow him to remain open. Mr. Lovering's concern was that Mr. Carpenter was also the owner of the Tyngsboro Drive-In which was known for showing X rated films. Mr. Carpenter stated that they were in dire need of funds, and they had gone to the Tyngsboro Selectmen and told them they would like to try X rated films for financial needs. He said they were given permission to do this, but he had no plans for showing X rated movies in Chelmsford. Mr. Lovering asked if he would agree to a twelve months covenant that no X rated movies would be shown in Chelmsford, but Mr. Carpenter preferred the license be given and the Selectmen could revoke it if they didn't like what was being done. Mr. Lovering insisted on the covenant stating that was the only way to protect the Town as Mr. Carpenter may sell the theater.

Meeting with
Alfred R.
Carpenter,
new owner of
Chelmsford
Drive-In;
reg: Sunday
Ent. Lic. &
Comm. Vict.
Lic.

Mr. Carpenter then showed the Board plans for dividing the theater area into two sections where two movies could be shown. Mr. Lannan stated that a transfer of the licenses must be approved by the Board of Selectmen, and I read in the paper that the theater was under new management. The Selectmen were never notified. Where the license is issued by the Board of Selectmen, you should contact them to see what the license involves. Mr. Carpenter stated that he was advised that he did not have to contact the Selectmen as the corporation was basically the same. Mr. Lannan stated that the previous license was issued to Mr. Winnesten. You would be the man to contact if there were any problems and your name would not appear on the license. This is the reason that I requested that we hold on this matter so that the Board could vote on the transfer of the licenses. From September, you were operating illegally. Mr. Carpenter stated that he was improperly advised. Mr. Lovering moved to grant the license with the understanding the Board notes Mr. Carpenter gives the town a voluntary covenant in writing that no X rated movies be shown during the twelve month period of the license. Mr. Murphy asked the motion be amended that the covenant be scrutinized by Town Counsel to determine the legality. The motion as amended was so voted. Mr Lannan seconded.

Discussion with Mr. Joseph Hagopian regarding the truck traffic on Graniteville Road.

The Selectmen met with Mr. Joseph Hagopian, regarding the heavy commerical vehicles traveling on Graniteville Road. Mr. Hagopian stated that the basic problem is that Graniteville Road has become a trucking route. Mr. Hagopian had the road outlined from Drum Hill to the Commodore Foods Operation in Nabnasset. This road is approximately 3.8 miles long, with 3 miles of it in Chelmsford. In the immediate vicinity, there is the present high school, the new high school, the junior high school, Harrington School and the Quessy School on School Street, and some distance from there, the North School. All these schools contribute to the traffic on this road. Mr. Hagopian had pictures to show the Board that this road is being used. The road surface is chewed up very badly. The Highway Department was out filling holes. He said he thinks they gave up because they didn't fill them all. This is a residential area,it is hilly and there are blind spots. The paved road surface is 20 feet wide. The construction of the road is oil and gravel and it is not constructed for heavy traffic vehicles. There are no sidewalks except in the vicinity of Princess Avenue. Graniteville Road is a town road and Chapter 90 funds cannot be used to resurface or reconstruct this road. The Board of Selectmen have complete authority to control use of the road. There are hazards to pedestrians and school children on this road. The trucks are about 8 feet wide, the buses are about 8 feet wide, the roadway is about 20 feet.wide. It doesn't leave any room for anybody on either side. The road damage runs from the vicinity of the School Street intersection for about 400 yards down to the Westford line and behind the ice cream stand to the junction of Westford Road. I have talked with the Highway Superintendent and he does not plan to repair or resurface the road, he can only repair patches on it. He agreed that trucks have contributed to the damage. The condition of the road is caused by the commuters, local traffic, school buses, heavy trucks. School buses use this raod from 6 A.M. to 6 P.M. The trucks are continually operating throughout the day. The source of the heavy vehicle traffic is from Commodore Foods, a

(Continued) Discussion regarding truck traffic on Graniteville Road.

Westford operation. Their operation was expanded in 1973 and there has been an increase of truck traffic. In March of 1972, I spoke to Mr. Lannan and he stated that he was concerned and he would have the Board of Selectmen write to Commodore Foods about the problem. It is a Westford operation, why don't they use Westford Roads? Chelmsford does not receive revenue from this company. Their vehicles weigh from 30 to 32 tons. That is pretty heavy trucking.Mr. Lannan stated that we will have to go through the State Department of Public Works. Mr. Bruce Campbell allowed the Town to limit the traffic on North Road from 11 to 11. I am sure that we can eliminate the traffic on Graniteville Road. We had a washout on Graniteville that was caused by the constant vehicles going over that road. Mr. Hagopian stated that the Department of Public Works in Boston informed them that this is a Town road even though it was built up by the State. Mr. Markham suggested to the Board that we have Town Counsel here for another discussion, and pursue this based on the Chapters heard tonight and advise us of our rights and we can turn this over to Town Counsel. Mr. Hagopian stated that he wanted to ban all trucks twenty four hours a day. Mr. Lannan moved that we turn this problem over to Town Counsel based on Chapter 85, Section 30 and that we ask him to get a restraining order restricting Commodore Foods travelling on this way. Mr. Murphy asked if Mr. Lannan would amend this motion to include, as soon as we hear from Town Counsel, instruct the Police Department to patrol the road and enforce this and take legal action. Mr. Lannan stated that this is the normal procedure. Mr. Lovering seconded the motion. The motion passed unanimously. Mr. Lannan stated that the Board never received a reply from Commodore Foods. State funds were used to resurface Graniteville Road under Chapter 716 - Windfall funds. We haven't had these funds for the last couple of years. He thought that Mr. Hagopian had a very good case, and referred to the article for this year's Town Meeting regarding restricting truck traffic on Dalton Road and Steadman Street. Mr. Lannan stated that there is no reason that this Board shouldn't take immediate action on this road. The trucks are overweight. The road was not built for heavy truck travel. There is an alternate route which takes them off the Town ways to a highway in a short period of time. Mr. Hagopian informed the board that he wanted all trucks banned from Graniteville Road twenty-four hours a day. Mr. Lovering referred to Commodore Food signs in the Town of Chelmsford, and asked if these signs were installed properly. On a motion by Mr. Lovering, seconded by Mr. Lannan, it was unanimously voted to refer the sign matter to the Building Inspector for immediate action to see if these signs were legal.

Discussion regarding condition of Crooked Sp. Road

The Selectmen met with Mr. William Dempster and Mr. Al Woods regarding the condition of Crooked Spring Road. Mr. Markham read a letter from the Police Department which stated that they had kept a surveillance on the road and found no violations. He also read a letter from the Building Inspector, stating that the land in question was a sub-division approved by the Planning Board of Chelmsford and that he found nothing improper as far as the sub-division was concerned. Mr. Dempster informed the Board that this problem was being created by a builder who was using the road to haul out fill. He stated that an attempt was made to obtain the grade level plans from the Planning

Board, but these plans could not be found. Mr. Dempster stated that the residents have an 80 foot cliff that is hanging out their back door. Some of the people can not open their windows because of the sand. He could not understand how the Building Inspector could be so positive as the Planning Board could not find the plans. He also stated that very few people get caught by the Police when they know they are there. He stated that last Friday, he followed trucks and they all went through the stop signs. Crooked Spring Road is a narrow country road which is adequate for regular traffic. He stated that the road is a mess and the Town will have to pay to repair it. Mr. Markham stated that after he received the call from Mr. Woods, he viewed Crooked Spring Road with the Highway Superintendent, and the trucks have difficulty in passing one another. They go up on people's lawns and the edge of the road is being broken down. Mr. Woods stated that he felt that the Town is already overburdened with taxes and he did not feel that the Town should have to repair roads that were being overloaded by trucks. There should be a restriction on this road like Graniteville Road. Mr. Dempster stated that these vehicles are taking fill out of the gravel pit and hauling over this road. They travel on Crooked Spring Road to Richardson Road to Graniteville Road, to the Route 3 Rotary. All of these roads are going to be seriously damaged. In answer to Mr. Markham, Mr. Woods stated that if the builder hears of a by-law to restrict the trucks on this road, he will have 200 trucks in there tomorrow and get the gravel removed before the end of the week. This is something that should be done now. Mr. Lannan stated he did not know how the Board could stop this as he didn't think there was anything in the sub-division control laws as to how far down they could go. He referred to page 51 of the By-laws. Mr. Dempster stated that there was an article in the Boston Globe that stated that there are only a few places to get gravel, one of them is in Massachusetts. They will break laws to get this gravel. Mr. McCarthy, Town Counsel, informed the Board that, that had a Grandfather Clause attached to it for a while, which expired after he became Town Counsel. We brought a restraining order against Mr. Allard and they went in and cleared it up. Mr. Markham stated that the problem has moved down the road. Mr. Dempster stated that the trucks weigh 20 tons. Mr. Markham stated that there are two problems, the grade level, and he suggested that the Board refer this back to the Building Inspector for that aspect of it relative to Section 10 and other sections that might be appropriated. Mr. Dempster related that the proper grade level plans cannot be found. Grade levels, plans and necessary permits would be under the Building Inspectors jurisdiction. Mr. Markham suggested that we refer the traffic matter to Town Counsel to be included with the previous request for Graniteville Road. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unanimously voted to refer the matter of the grade level back to the Building Inspector and include the traffic problem on Crooked Spring Road with the previous request to Town Counsel.

(Continued)
Discussion regarding truck traffic on Crooked Spring Road.

Mr. Markham stated that the reason for this meeting is that at the Town Meeting, it was mentioned to call a Special Town Meeting. He stated that he had a discussion with Mr. McDermott and he agreed that we meet tonight, not only to discuss what would be included in the Town Meeting, but also some of the actions that had taken place to date. Mr. Edge stated that this is a Personnel Board issue with the Selectmen. This is a

Personnel Board article. He stated that the Finance Committee recommendations hadn't changed. This Blue Book was put out for the convenience of the people at Town Meeting. Mr. Markham asked if 2A should be included. Mr. McHugh of the Personnel Board, stated that we should overhaul 2A because the person who was talking about 2A went into a hole deeper and deeper and I think the people began to realize that fact and I think that if we were to have a Special Town Meeting, we could revise that for both years. I haven't changed my mind about 2A. Mr. Markham stated that this would be for those areas that the Board nigotiated contracts with. I think that it should be corrected if we were to revise 2A and come in with a Special Town Meeting. Mr. Markham referred specifically to the Highway Department. Mr. Edge stated that that would open the door for the Police and Fire Departments. Mr. Markham stated that he would be willing to put it in as it was negotiated with those two departments. We would have at least a moral argument to put it in there. Mr. Curran asked if it would be better to see how the School Budget fares and the other things fare. Then we could ask for a Special Town Meeting. If you want to revise 2A and get it back to somewhat of the format it was originally proposed at, you need to know the mood of the voters. I don't feel that they will be in favor of a revision at this time. Mr. Curran stated that he thought at the last meeting, some who had voted against 2A may have had their eyes opened to know what was behind the numbers. They may be saying they want to see what is behind the numbers. We should see what the atmosphere of the voters is before having a Special Town Meeting. We should wait until the timing is right. Mr. McCarthy stated that he wasn't aware of the generalities that were going to be discussed tonight. The Town may vote on salaries only at an Annual Town Meeting. You are going to have a problem with 2A if you are going to mess around with retroactive. He referred to Chapter 41, Section 108A. He stated that he would have grave doubts about retroactivity. Mr. Lannan stated that we were only talking about Town Employees, 2.7 to 3.5%. Mr. Edge stated that Mr. McDermott, who could not attend this meeting, intended to take care of the Town Accountant and the Cemetery Department. Mr. Lannan stated that the people who are elected will have to take up their salaries with their budgets. Mr. Edge stated that you can get to a point where you do for one or two, and you have to do for all of them. Mr. Lovering asked about a problem where you are dealing with the elected officials, would there have to be a special article on those two positions. You don't need to replace a separate article for that salary structure. Mr. Markham stated that last week we asked for an opinion regarding the Personnel Wage & Salary By-Law for elected officials. Mr. Edge asked how far did everyone want to go? Mr. Lannan stated that he did not think the Highway, Police and Fire are subject to the Personnel Wage and Salary By-Law as they come under Collective Bargaining. Mr. Markham stated that we didn't get an opinion of those two departments. Whether they are in there or not, I think that we have negotiated with those departments in good faith and we should make every effort to support that contract. Mr. Murphy mentioned that the mood was set by two or three things in that article. I would like to see the article as originally presented to reaffirm their feelings and vote on it again. I don't think that they heard justly and fairly all the categories that are in that by-law. Mr. McCarthy asked if they wanted to overhaul and return to the original article but not include retro-

Discussion
egarding
Article 2A
(should it
e revised)

(Continued)
Discussion regarding Article 2A

active in the article. You cannot pick up the retroactive. Mr. Markham stated that he thought that the problem would be somewhat eliminated because he believed the 73 rates remained at 5.5%. I think your point would have to be included in the introduction of the article. The rates for 1973 have basically not changed. Those that were under negotiation did not change. We would stick with the 5.5%. In answer to Mr. Lovering, Mr. Markham stated that we would consider the earlier budgets. Mr. Lovering stated that he thought that this is going to create a large amount of complexity at the next Town Meeting. From a strategy standpoint, is this going to accomplish anything? Mr. Murphy said that we would like to see the discussion next week proceed on the school budget which is outside the realm of this by-law and that the Special Town Meeting convene the following week. Mr. McCarthy informed those present that this Warrant has to be posted by next week. I don't want to find out after the Special Town Meeting that it has been an exercise of futility. Mr. Markham stated that in regard to getting a further feel of the Town Meeting, in tackling some of the budgets, right now they would have to be based on 2A as approved, we may have to go back to the budgets again. Mr. Blackadar stated that he believed the white book includes the negotiated raises for the Police, Fire and Highway Departments. Mr. Hart stated that it doesn't include some of the things that they bargained for. Mr. Curran stated that a good many years ago, article 2A was voted, following that, article 3 was not voted. This current Town Meeting could be the reverse of this. Mr. Lannan stated that if the people vote and change the classifications, we go to the Finance Committee for a transfer. Mr. Lovering stated that there are deletions in 2A. Mr. Markham stated that the problem is more than the availability of money. We have to resolve whether the Town wants to accept the 3.5% rather than the 2.7%. At some point, we should attempt to correct this. Mr. Murphy stated that this is the only Annual Town Meeting that we are going to have for the next 18 months. Mr. Edge stated that the Finance Committee wanted to rectify two salaries. The Finance Committee would have to get the money up for Police, Fire and Highway Departments. I am all for this blue book. I am sure the others feel this way. I am not sure whether the Town Meeting is ripe enough, we could lose everything we have. Mr. Markham's concern was for the negotiated departments in not finding the dollars to pay the men. The question has got to be resolved before we reach 1974. Evidently they went in here with 2.7% for 1974. That is less than the amount that was negotiated. Can we legally pay that rate when it comes to 1974? Mr. Edge stated that the library wants to straighten out their aides. Mr. Markham stated that if 2A were to be included, he thought the Personnel Board should make recommendations as to what should be in there. Mr. McHugh of the Personnel Board, stated that if we come up with a Special Town Meeting right away, that element would figure that we are trying to put something over on them which we are in a way. I think if we run a Special Town Meeting too quickly, after this thing, we are in trouble. The group as a whole were beginning to realize that they made a mistake in the first place. Mr. Blackadar stated that the total effort of that vote last week was not over $6,000.00. He didn't know about the Police and Fire. Mr. Lovering stated that it is a fact that we violated the law by having the two elected officials in there. That should be corrected. The Selectmen also negotiated on the Collective Bargaining. That should be corrected from 2.5 to 3.5%. With regard to restructuring the balance of 2A, that poses a very different type of problem. We will have a problem presenting this to the voters. Mr. Markham stated that all we could do is set the time and date. Anyone submitting articles would have to have them in so that they could be posted. If the Board wanted to consider allowing a week to pass and indicate that we would call a Town Meeting for three weeks and have articles submitted to this Board and at that time we could determine what articles would be okayed. Mr. McCarthy stated that if you pur out for general articles for invitation, you leave open the door for all kinds of articles. On a motion by Mr. Hart, seconded by Mr. Murphy, there was a majority vote to restrict the articles for the Special Town Meeting if and when we have one, to items that would be of a corrective nature. Mr. Lannan voted for the motion but he didn't know how it was going to be done. Mr. Lovering stated that he thought this motion is tempting to decide a very peripheral part of the problem and he voted present. Mr. Hart stated that we should also move to have this Special Town Meeting set up as soon as possible as Town Counsel can get it ready. I think that this is being understood by the people and they are voting to correct what was done at first. A member of the Finance Committee asked is there anyway that we could properly go through the budget on the School Department next week so we could figure out the difference on 2A in the Blue Book. Mr. McCarthy stated that you set the rates under 2A. The Finance Committee member stated that you will revise them at the Special Town Meeting. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unanimously voted to set the date for the Special Town Meeting for April 9th, 1973 at 7:35 P.M. Mr. McCarthy stated that this would have to be posted by this Monday and he asked if the Personnel Board would give him a completed article. Mr. McHugh stated that he would have to have a full Board but that his opinion hasn't changed on that article. Mr. Murphy said to announce it now, set the date and ask that we proceed through budget items. Mr. McCarthy stated that the elected officials can be included under the by-laws if they request this of the Selectmen. Mr. Blackadar stated that you are opening up a whole can of worms. Make the changes in the arithmetic and change the Highway Department to 3.5% for 1974, but if you start this other thing over again, I shudder. Mr. Markham stated that the differences are not that significant between 2.7% and 3.5%. Mr. Markham stated that if we wanted to contribute to the mood of the meeting, articles 18 and 19 pertain to about $28,000. I know that the Highway Department presented to the Finance Committee an additional request for labor and it was not recommended by the Finance Committee. Mr. Markham stated that he had a discussion with the Highway Superintendent relative to these two articles. We did have a need for this equipment last year. We did this on a limited contract basis. I would suggest that we put an article in the Special Town Meeting to allow these articles be withdrawn and therefore the money that was appropriated would have an effect on the tax rate. This equipment is not needed. Mr. Lannan stated that we just voted that we would not consider anything other than 2A. Mr. Lannan stated that the Highway Superintendent told him that he needed the equipment. Mr. Lovering asked if Town Counsel felt that we have a viable plan. Mr. McCarthy stated that overall, it is

(Continued
discussion
regarding
Article 2A

fine. Mr. Edge stated that he would like to see the figures in the blue book come through, but I would agree with Mr. Blackadar. Just 2A minus elected officials. There will have to be two articles to rescind articles at the Town Meeting, new 2A.

Reschedule appointment to next mtg.

On a motion by Mr. Hart seconded by Mr. Murphy, it was unanimously voted to hold on any additional appointments that were scheduled for this evening and reschedule them for next week.

Preliminary Plan for Appt. procedures.

Mr. Murphy gave a copy of a preliminary plan for appointment procedures under the procedures sub-committee to the Board members. It covers who is to be appointed.

Permission granted to Jaycees for loud speaker to be used at carnival

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unanimously voted to grant the International Brotherhood of Police Officers permission for a loud speaker to be used for their carnival April 16th through April 21st, 1973. Mr. Markham also read a note which stated that the Jaycees wanted to be informed if any other carnivals were to be held around the same date as the carnival they have planned. Mr. Hart stated that this board is only concerned with the issuance of loud speaker permits and that anyone who wishes to have a carnival can hold the carnival. We do not have any say on who is to hold a carnival. The Police Department makes the recommendations as far as traffic conditions. Mr. Dugan, President of the Jaycees, who was present, statdd that there should be a by-law for spacing of carnivals. Mr. Murphy stated that the groups should get together to resolve their differences.

Resignation of Helen M. Wojtkiewicz from Town Clerks off.

The Selectmen accepted the resignation of Helen M. Wojtkiewicz to become effective March 23rd, 1973 as a clerk in the Town Clerk and Treasurer's offices. They agreed to send her a letter for future success.

Girl Scout Troop 196 request clean up day at Crystal Lake

The Selectmen received a letter from Girl Scout Troop 196 stating that they wished to clean up Crystal Lake. They wanted to have the whole town involved and suggested a town trash truck to pick up the litter. Mr. Murphy stated that this is one of many plans in the community. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unanimously voted to forward this correspondence to the Anti-Litter Committee and that they come back with the cleanup day for the year 1972. Mr. Markham also asked that the motion include that we have approved the people proceeding on Town property for this purpose. The Selectmen also asked that Mrs. Bue, Chairman of the Anti-Litter Committee communicate with Mrs. Martin or Miss Kelli Kilburn of the Girl Scout Troop.

Crystal Lake bill cannot be paid until an agreement or contract is received.

The Selectmen received a report from Mr. Edmund Polubinski on Crystal Lake. The invoice from Fay, Spofford and Thorndike was in the amount of $5,888.46 and could be paid. Mr. Hart stated that he would recommend payment of that bill but he believed that the last paragraph of the letter was a bit premature. We have sent to Boston to see what the State is going to reimburse us for. Mr. Blackadar stated that the Town Accountant does not have in his custody an agreement or contract for that bill. The bill cannot be paid until we get an agreement or contract. We should include in the communication the comments made by Mr. Blackadar and Mr. Hart. Mr. Markham suggested that we should inform them that before they start coliciting bids, or proposals, we should meet with them. Mr. Hart stated that this was sent by Mr. Polubinski and that the Crystal Lake Committee should meet. He agreed with Mr. Markham. Also include this in the letter to Mr. Polubinski. Also the report of Fay, Spofford and Thorndike was handcarried to the State. Follow this up and see that this report was received. Also, we would appreciate receiving an early reply as to what might be reimburseable.

The Selectmen received a letter from Mr. John Kenny, 40 Vinal Square, North Chelmsford, requesting permission to excavate some test holes for the purpose of submitting a proposal for the reclaimation of Crystal Lake. He informed the Board that he would agree to fill the holes back in and perform the operation in a workman like manner, Mr. Hart stated that he met with Mr. Kenny and told him to send a request to the Board. We have to give permission for testing. This is a private firm that might buy some fill. Mr. Lovering questioned that if the committee is out soliciting proposals for various groups, why do we give permission to one firm? Mr. Hart stated that we don't have a plan. This is some organization that may feel that they have a proposal to submit. Mr. Lovering stated that we are arguing over procedure, they should all do it at the same time. Mr. Markham stated that we will have to have better communication with the Crystal Lake Committee. We haven't given them total use of the property. Before they start soliciting proposals,anybody who is interested in submitting proposals can come in. I would ask that he be allowed to take these test borings. We want to find out if this is the best deal or is there a better deal. There is value to the fill that is there. Mr. Hart stated that we should be paid more than $150,000 for the fill that has to be removed. The State is not going to pay us to remove fill. On a motion by Mr. Hart, seconded by Mr. Markham, it was unanimously voted to grant permission to Mr. Kenny to excavate some test holes at Crystal Lake.

Permission granted to John Kenny to excavate test holes at Crystal Lake

Mr. Markham informed the Board that we are in receipt of a petition which includes 218 signatures to see if the Town will vote to authorize as a site for municipal purposes the site across from the High School. He requested that this be forwarded to the Town Clerk to verify the signatures and save this petition for a future Town Meeting. Mr. Murphy stated that this is another case where the Town's citizens have personal plans for eminent domain. He questioned what the Town paid for the appraisals for the property that Hicks owns. Mr. Markham stated that before this could be voted at Town Meeting, appraisals would have to be obtained. Mr. McCarthy stated that you would have to have two appraisals for the taking but there is no law on who pays for the appraisals. Mr. Lannan stated that we accept it from the people and put it in as an article. Mr. McCarthy stated that you cannot take land generally for municipal purposes, you have to have a specific purpose. It should be included as it was by petition. I would rule that it was illegal at Town Meeting but it would still be voted on.. On a motion by Mr. Murphy seconded by Mr. Lannan, it was unanimously voted that the Board would go on record that we accept this article only as a petition, not by the Board of Selectmen. Mr. Lannan stated that

Petition received with 218 signatures to see if Town will authorize as a site for municipal purposes site across from High School.

we will have to notify the people as a courtesy and Mr. McCarthy stated that they would have to have a figure for this land.

Pole Location on Middlesex St.

On a motion by Mr. Hart, seconded by Mr. Lovering, it was unanimously voted to approve one joint pole location on Middlesex Street, North Chelmsford. This was requested by Massachusetts Electric and New England Tel and Tel.

Bill of complaint reg: Alfred Lowell vs.Tn. of Chelmsford

Mr. Markham read a communication from Town Counsel regarding Alfred E. Lowell et al vs. Town of Chelmsford et al which stated that we have received the bill of complaint in the above cause which concerns the granting of a variance on premises located at 336 Billerica Road, Chelmsford, Mass. We will see to the prompt and complete protection of the town's interest.

Transfer of gasoline storage lic.

On a motion by Mr. Lannan seconded by Mr. Hart, it was unanimously voted to approve the transfer of 5,000 gallons of number 2 fuel oil from Warren C. Lahue, Inc., to Antonio Ferriera. The storage is located at 111 Chelmsford Street.

Vote to table request of W.T.Grant Garden Shop to be open 4/1/73 to 9/30/73

On a motion by Mr. Lovering, seconded by Mr. Hart, it was unanimously voted to table the request of W. T. Grant to open their Garden Center on Sundays from April 1st, through September 30th, 1973, from 9:00 A.M. to 2:00 P.M. for the sale of garden supplies, until the Board gets a response from the Building Inspector that this is a legal operation. Mr. Markham also asked that another letter be sent to the Building Inspector. Mr. Murphy stated that he did not think it is fair to the owners of the company if the Building Inspector does not go down there and make a report to this Board. Mr. Markham stated that the Board did grant permission based on the request from last Spring. We do have another letter dated March of this year. This request will not be honored until we determine the status of this report. Mr. Lannan stated that Atty. Zaroulis, Acting Town Counsel, stated that it was an illegal operation. We sent his opinion to the East Gate Corporation for his answer and the Building Inspector has been waiting for their reply. Mr. Hart stated that it is up to East Gate to come in with something. Mr. Markham asked that the material regarding East Gate be made available to Mr. Lovering and Mr. Murphy and in the future send them another letter.

Minutes accepted: 2/12; 2/21; 2/26/73

On a motion by Mr. Hart, seconded by Mr. Lannan, it was unanimously voted to accept the minutes of meetings held February 12th, 1973, February 21st, 1973 and February 26, 1973. Mr. Markham stated that the meetings held February 22nd, 1973 one regarding SHARE and one meeting for Street Acceptances were not special meetings of the Board.

Report reg: tour of M.C.T.S. grounds for potential use.

Mr. Lovering reported to the Board that this past Sdnday, various members of the Board of Selectmen and the Finance Committee met on the grounds of the Middlesex Training School for the purpose of touring the Training School for potential use of the grounds. It was unofficially decided that rather then to proceed with one proposal, a more lengthy analysis should be given to the whole facility. It would be difficult for the Town of Chelmsford to determine its potential neighbors if we just pursued the use of the Administration building.

The building itself does not really lend itself to one transfer of Town Hall activities and there is some concern that the floor space and layout would require some expenditure of money to be adaptable. In addition, the flavor and concern of the Townspeople at Town Meeting would have to be determined. It was agreed to allow the organizations that would be involved in the proposals additional time to better study the use of the facilities. Mr. Lovering stated that was difficulty in obtaining drawings of the buildings. They may be available in Cambridge and we are trying to get a complete set of drawings to analyze the square footage. It was agreed that the groups involved would look at the whole facility. Mr. Lovering stated that we will take over the next month or so. Mr. Lovering stated that we immediately contact the Committee on Counties this week and see what it would do to their plans. You can't put a Town Hall on those grounds and not be able to control what is going to be around there. There should be some restrictions required at that building. We do want to look at that carefully. We want to have the necessary time to give the people the answers they need. Mr. Lovering told the Board that he would take the opportunity to make contact with the County Commissioners to see what we can work out. The Board agreed.

Mr. Markham stated that he had received a telephone call from Mr. representative of the State Office for Children Organization under the Human Service Department, Commonwealth of Massachusetts and he informed me that there will be some organization meetings in the near future. Mr. David Leiderman will set up these meetings for all the Town Government officials that carry activities for children. This was for information only and we will be receiving a letter shortly.

New Business

The Board agreed to ask the members of the Town Celebration Committee to meet with them regarding plans for Sgt. MacPhail next week.

The Board agreed to Mr. Murphy's suggestion to request the Highway Department to assist the Recreation Commission in obtaining barriers from the State Highway Department in North Chelmsford to alleviate parking problems at the Little League Field on the Robert's property.

In a motion made by Mr. Hart, he stated that in the minutes of the Selectmen's meeting of July 24, 1972, it is recorded on a unanimous vote of the Board, to take no new action on the two new All Alcoholic Retail Package Goods Store licenses until April 1973. Mr. Hart stated for reasons I will state, I would like to present this Board with a new motion. First motion: I move the Board take no new action on these two package goods store licenses until April 1974. I would also request the Board to place a referendum question as to the peoples need for additional package store service. Is there a need? 1. It is my opinion based on a personal study that there is no need for additional package stores in this Town at the present time. I repeat a statement made by Selectmen Markham "I have never had a complaint from anyone being unable to purchase liquor or package goods in Chelmsford." 2. I believe the two new members of the Board deserve time to make their own study of licenses now in existance, their location and the need for additional stores in this Town. 3. I believe that a vote recorded by precinct (if favorable) will give this Board insight into the areas which may, at the time of election, feel this need and make us aware the area these stores may be best placed to serve these people. Mr. Lannan seconded this motion. Mr. Lovering stated that he was opposed to the motion. I think that the criteria set up in regard to population is apparently reasonable throughout the Town. I don't agree that the two new members of the Board need twelve months to study that kind of a problem. I certainly think that before we embark upon issuing new licenses, a procedure would be required that clearly sets forth the type of licenses, dates and time and where and that the entire community would have in advance, all action the Board was going to go through in their processes. I think that the Board is in a sense not living up to its potential responsibility in this area, and therefore, that the motion should be defeated. Mr. Hart stated that he didn't disagree with some of those things but I do feel that just because the State sets the number of licenses that are available, this doesn't mean that the Board of Selectmen have to issue the licenses. As far as Common Victualer/All Alcoholic, there are 12 or 14 for this Town and some of these are not being used. It is up to us to feel that there is a need or there isn't a need. Mr. Hart stated that people could vote as to whether there is a need. He didn't think that this Town should have a whole line of package stores or a whole line of barrooms. Mr. Lovering atated that the intent of your motion is that there is not a need, the intent is to have the Townspeople decide. Mr. Hart stated if the Townspeople tell me that I am wrong, I will go along with them. Mr. Murphy stated that he would go along with Mr. Lovering. Mr. Markham stated that he would state as Mr. Hart stated. As was mentioned before back in July, I would feel that there was no great urgency for the issuance of the licenses. Therefore, it is within the power of this Board to grant or not to grant and also that it might be well to get a feel from the community to see if there is a need or lack of opportunity to purchase this in the Town. Do you feel that these procedures be established immediately. Mr. Lovering stated that it would be his feeling that the procedures could be established in a month or two. Mr. Lovering asked Mr. Lannan if his agreeing to the motion meant that he no longer feels that the Board should issue the licenses as the people were now being asked. Mr. Lannan stated that he did not feel that the Board should delegate their authority to someone else. The Board of Selectmen are the licensing authority but if they want to delay it, they can. Mr. Hart felt that if the people feel we need to issue the licenses, I would go along with them. Mr. Lovering asked if the Board would be willing to develop that consensus at a Special Town Meeting. Mr. Hart stated that that is what he was looking for. Mr. Hart moved to move the question, Mr. Lannan seconded. A roll call vote was taken on Mr. Hart's motion, regarding issuing of liquor licenses. Mr. Lovering, No - Mr. Murphy, No - Mr. Hart, Yes - Mr. Lannan, yes - Mr. Markham, yes. The motion passed; 3 in favor, 2 opposed.

New Business

Mr. Markham stated that in regard to the Hick's property on the transfer of the gasoline storage, the request was just for a transfer of the 5,000 gallons.

Mr. Markham stated that he has had complaints from residents that reside in the Central Square area regarding excessive amount of automobile racing between the hours of 9 and 10 P.M. and 1 and 2 A.M. He asked that the Police Department increase the surveillance in the Central Square area at these times.

Mr. Markham informed the Board that boards have been removed and the Cushing Place building is open and that this is a dangerous situation. Mr. McCarthy stated that his last information is that one or two of the buildings are down and the most recent bid is in and the buildings are coming down. He was surprised that they were still standing. Mr. Markham stated that it was his understanding that the Building Inspector was waiting for another bid. Somebody could very easily fall into the brook.

On a motion by Mr. Lovering, seconded by Mr. Hart, it was unanimously voted to hold procurement on Articles 18 and 19 on the 1973 Annual Town Meeting. Mr. Markham had requested the Board to hold action on that equipment. The Purchasing Agent cannot proceed until some additional dollars are voted in at Town Meeting. Mr. Markham stated that if we hold on the chipper, the Purchasing Agent can process some of the other items that have been approved. We should not award the bids at this time as there is no manpower. Mr. Markham also asked for a report from the Highway Superintendent pertaining to those items.

New Business

Mr. Lannan asked that a letter be sent to the A.B.C.C. regarding the vote the Board took on the liquor licenses so that when applications come to us and we don't accept them, the A.B.C.C. will know the reason.

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to adjourn the meeting. The Meeting was adjourned at 11:55 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen, held April 4th, 1973, commencing at 7:30 P.M.

Members Present

Members present were: Mr. Markham, Chairman, Mr. Hart, Mr. Lannan, Mr. Murphy and Mr. Lovering. Mrs. Haines was also present. Mr. Markham persided.

Members of the press present.

Members of the press present were:
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Mr. Markham opened the meeting. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unanimously voted to take Item 9 correspondence, out of order.

Gasoline Lic. transfer from Toure Larson to Gerald Martin.

Mr. Markham stated that a probation report has been received regarding Mr. Gerald Martin. The transfer of a used car license from Toure Larson to Gerald Martin had been approved and voted pending receipt of a probation check. On a motion by Mr. Murphy, seconded by Mr. Hart it was unanimously voted to transfer a gasoline storage license from Toure Larson to Gerald Martin. There are two tanks; one 1,500 aboveground, and one 11,000 underground.

Letter rec. from Town Counsel reg: covenant signed by Mr. Carpenter of Chelms.Drive In. No X rated films shown.

Mr. Markham read a communication from Town Counsel stating that he has reviewed the covenant signed by Mr. Carpenter dated March 29, 1973, stating that his corporation would not display "X-Rated" films at the Chelmsford Drive-In Theatre. After reading the covenant, I arranged with Mr. Carpenter, through his attorney, Mr. John Aremstam, for the receipt of a corporate vote binding the corporation as well as Mr. Carpenter to the stated promise. Mr. McCarthy recommended that the license should be issued. Mr. Markham stated that the Board is in receipt of the copy of the corporation vote and the license has been issued based on the voluntary statement of Mr. Carpenter.

Ins.Svce. Off. complete fire protection facilities of Chelms.

Mr. Markham read a letter from the Insurance Services Office, New England Regional Office, stating that they have completed their analysis of the fire protection facilities of Chelmsford as a result of our recent field survey. The grading analysis indicates that the Town now grades 4th Class for specifically rated property and Grade "B" for dwelling minimum rates. This compares to a previous grade of 5th Class and Grade "C" for dwelling minimum rates.

Traffic problems in Town.

Mr. Markham read a letter from Mr. Lewis Engstrom regarding the traffic problem at the corner of Maple Road and Garrison. Mr. Markham stated that this problem has existed since the Byam School was built. During a discussion on this subject, Mr. Murphy stated that the Town is getting to a point that, the road having been constructed five years ago, is showing wear and tear. The Town is going to have to look into solving a number of problems and come up with a solution. Hunt Road is a wash board. We would be ill advised to correct one problem. We should look into it as a whole solution. The Board agreed to hold on this situation on Garrison Road and Maple Road until they went over the Highway Superintendent plans for fixing roads in 1973. Mr. Markham stated that the Highway Superintendent has plans for eight particular projects in 1973. Mr. Markham requested that the Board acknowledge receipt of Mr. Engstrom's letter and we will pursue this town wide for a long range solution. On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to inform the authors of the TOPICS Report of the following: 1. The Sonora Drive/Concord Road intersection is incorrectly contained in the project list. Sandra Drive/Concord Road, one entrance to Chelmsford Farms I and the scene of some three accidents, should replace it in the lists. 2. Street lighting on Gorham Street, Route 3A-East Chelmsford, is inadequate. The road is heavily traveled by high speed traffic and there are wide stretches without lighting. Mr. Lovering stated that we should discuss House Bill No. 6108 and 6109 that is currently before the legislature. Under this, the M.B.T.A. will allow communities like Chelmsford to receive all of this highway money. The Board agreed to have this an agenda item for April 11, 1973, and a vote would be taken on this subject and a letter sent to our local representative indicating the Board's feeling on this matter. Mr. Hart stated that he was already to take a vote, we should not get involved as far that bill goes.

Complaint of water pumped from 23 Elm Street.

Mr. Markham read a communication from Mrs. George DiPrimio, 21 Elm Street, Chelmsford, Mass., regarding hazardous road conditions, damaging of property, health hazard and dangerous attraction to children caused by water being pumped from the basement of 23 Elm Street, residence of Dennis M. Arndt. The Board agreed to forward this to the Highway Superintendent for his report. Mr. Lannan asked when this letter was received, and asked that the Administrative Assistant be instructed to forward letters of this type to the Highway Superintendent and the Selectmen would have this report for their meeting.

Communication reg: Federal Funds for Manpower/ Training

Mr. Markham read a communication from Mr. Mario A. Alfano, Chairman, Lowell Ancillary Manpower Planning Board which stated that this Board is responsible for the development of a FY 1974 Manpower Plan. This plan essentially represents Greater Lowell's assessment of its manpower needs and priorities. The State (OMA) in turn uses this plan as a vehicle for acquiring Federal Funds for Manpower/Training for distribution throughout the State. Mr. Alfano stated that he did need the assistance of the Selectmen in developing a general manpower policy, relating to how Federal Manpower Funds can best be used by this community. Mr. Alfano stated that he would appreciate the completion of a form listing the possible priorities prior to March 28th, 1973. Mr. Lannan stated that Mr. Clark, the EEA Director is a member of that council and perhaps he could take care of this. Mr. Markham requested that the Board give some input for this matter and Mr. Clark could use the Board's input.

Pole location for School St. in the vicinity of Jordan Rd.

On a motion by Mr. Lovering, seconded by Mr. Hart, it was unanimously voted to grant permission to Mass. Electric and New England Tel & Tel for one pole location for School Street in the vicinity of Jordan Road. Mr. Crane representing Mass. Electric stated that the engineer realized he needed one more pole as there was too much slack between the existing poles. Mr. Murphy stated that the utility companies should come in with a whole plan and they would save their time and the Selectmen's time. Mr. Crane stated that this is a heavier line than what was there before, due to the output of consumption in the area.

Discussion regarding celebration for Sgt. Donald MacPhail

The Selectmen met with Mr. William Fitzpatrick, Town Celebration Committee. Mr. Fitzpatrick had been requested by the Selectmen to plan a celebration for the return of Sgt. Donald A. MacPhail. Mr. Fitzpatrick stated that he had talked with Sgt. MacPhail's family and they wanted to have a low key celebration. He has also talked to Sgt. MacPhail. There are tentative plans to hold an open house Sunday, April 29th, 1973 for Sgt. MacPhail. Mr. Fitzpatrick also requested the press to keep this low key. The MacPhail requested that there be no parades or big celebrations. Mr. Lannan asked if it would be possible to have a proclamation written up. Mr. Fitzpatrick stated that we could possibly declare a Don MacPhail day in Chelmsford. The Selectmen agreed that the Town would coordinate and run this open house. Mr. Markham stated that we might also consider including Sgt. MacPhail as the Grand Marshall of the Memorial Day or Fourth of July Parades. Mr.

Discussion regarding 4th of July Parade.

Fitzpatrick stated that he would talk to the family again and get back to the Selectmen with further plans. Mr. Ray Day, representative of the Chelmsford Colonial Minutemen requested a letter from the Board of Selectmen authorizing the Minutemen to run the Fourth of July Parade for their protection. He stated that the first Fourth of July Parade cost the Minutemen $800.00. On a motion by Mr. Murphy seconded by Mr. Lovering it was unanimously voted to ask and authorize the Chelmsford Colonial Minutemen to act as the administrative coordinating group for the 4th of July Parade. Mr. Lannan stated that all the bills would go to the Town Celebration Committee to be paid. Mr. Fitzpatrick stated that they are dissolving the 4th of July Committee. Mr. Fitzpatrick stated that his committee consisted of about four people coordinating this parade and the committments were just too much to do this another year. This same committee has run this event for three or four years. He also asked that the Selectmen send letters to the members of the 4th of July Committee for their great work and service to the Town. When the 4th of July Committee is dissolved, their funds will be turned over to the Town Celebration Committee. Mr. Fitzpatrick stated that he wanted to fund the Town Celebration for two years as the bills come in before July 1st. The Finance Committee did not go along with this as the amount for this Committee is for one year. Mr. Murphy stated that this could be brought up at Town Meeting when they discussed this budget. Mr. Fitzpatrick told the Selectmen he would keep them informed as to the parade plans.

Mass. Elec. Appvd. Pole Location on Manahan St.

On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unanimously voted to grant one pole location on Manahan Street. All abutters have been notified. Mr. Crane, representative from Mass Electric, stated that this pole will be situated at the Southerly end of Manahan Street opposite the land that is owned by the Shopping Mall people. This cable will service the shopping mall.

Meeting with Albert Feldman, J.M. Field's reg: litter in parking lot

At the request of the Selectmen, Mr. Albert Feldman, J. M. Field's explained to the Selectmen what the Mardi Gras which was to be held from May 23rd, 1973 through June 2nd. 1973 consisted of. Mr. Feldman stated that this was a leisure living sale. They usually ran this sale on the sidewalk but this year they wanted to block off some of the parking lot. Mr. Feldman stated that he was just trying to do a job and he wanted to do it right so he thought he should contact the Selectmen for their permission. He thought it was fair on his part to let the Selectmen know what they were going to do. Mr. Lovering said he was the one that had suggested that Mr. Feldman come in in regard to the property, in terms of papers and litter. Mr. Feldman stated that J.M. Field's in Chelmsford is the Northeast Regional office for Maintenance. He stated that Mr. Daniel Miley has written to the Selectmen many times but these people keep littering up the parking lot. We have no cooperation in the Town to keep the place clean. Nobody will help us. We have spent $750.00 for a new type cleaner in the parking lot. We have men out cleaning up every day. We just can't keep it clean. There are handbills on the cars. Mr. Lovering stated that along the Route 3 portion of the parking lot, there is still a large amount of papers and cans. Perhaps on good weather days, a couple of your clerks could go along and pick it up. Just as you are concerned about the property, so are we. We have to live in this Town, other people just shop and depart. We are asking that you cooperate as best you can on a continuous and periodic basis. Mr. Markham stated that prior to Mr. Lovering joining the Board, he had addressed the same subject. In the past years, some of our Boy Scout organizations have volunteered to clean up the area. It goes beyond the parking lot. Along the fence is a heavy amount of debris, papers and cans. Near Pole #2, there is an old wooden pallate. Mr. Markham stated that at the rear of the auto shop, there is a pile of used mufflers. Also, in the rear of the store, there are large containers. The trash containers along the side of the store and the auto shop, are overflowing. There are 10 or 12 carriages in the rear of the store, 4 trailer trucks in the rear, two of them have been there for some time. Mr. Feldman stated that in the back of their building, we have a hardware trailer, shoe trailer and bike trailer. These are the permanent trailers. Mr. Markham stated that he viewed the parking lot area at Fields prior to tonight's meeting. Mr. Feldman stated that they were going to use about 10,000 square feet of the parking lot for the leisure living sale. Mr. Hart informed Mr. Feldman that there is a Town By-Law that says that you have to have so much space required for parking. Mr. Markham suggested that if Field's is going to expand even temporarily, you are probably adding greater parking requirements. We ask that the Building Inspector be informed. Mr. Hart asked that Mr. Feldman send a plan into the Building Inspector showing the space they are going to use. Mr. Charles Higgins stated that he has been driving by the Field's Shopping Center since it was rezoned at the Town Meeting. He stated to Mr. Feldman that "your establishment is the dirtiest commercial establishment around the city of Lowell." He told Mr. Feldman to take a look at East Gate or the Shopping Center across the street. The area of Field's was stripped of loam, there is no landscaping in the area. This has been a continuing sequence of Berms for a twenty foot land strip were never completed. When you are told that you don't need any special permit, I would suggest and not facetiously, that you either don't know how to do it, or you are not willing to do it, or you don't want to spend the money to do it. I would suggest that Field's get a Plant Maintenance program, spend some money to clean that place up. Mr. Feldman stated that he has been at Field's for two and one half years. We have a maintenance program. I don't know what else we can do. He told the Selectmen to send a letter to his company. He would give it to the Realty Corp. About two years ago, we were approached by the Selectmen, we spent $850.00 to widen the entrance. We have a problem of trucks parking in our lot, the Police Department says it is not their problem. We have been there for twelve years, if we have not abided by the law, why didn't someone tell us before? Mr. Markham stated that he read something lately relative to plans for that area. On a motion by Mr. Hart seconded by Mr. Murphy it was unanimously voted to request that the Building Inspector look into J. M. Field's shopping plaza for violations and send a copy of this to Mr. Feldman. Mr. Hart stated that as far as the leisure living, Mr. Feldman should acquire a copy of the Town By-Laws. Mr. Lannan stated that Field's area was developed before the by-laws were in. It was developed back in 1958 or 1959. Mr. Markham reminded Mr. Feldman that he was going to send in a plan through this office for the Building Inspector regarding parking requirements. I

(Continued)
J.M.Field's
parking area
reg: litter

would like to suggest that the permanent trailers used for storage be included in the request for violations and also send a letter to the Board of Assessors indicating that Mr. Feldman stated that there are three permanent trailers located behind the store and have they been included with the assessment of the property.

Discussion of Bond issue reg: school

The Selectmen met with Mr. James Sullivan, School Building Committee, also Mr. Blackadar and Town Counsel were present for this meeting. Mr. Sullivan stated that he met many weeks ago with the Selectmen's Committee on Finance Plans (Capital Planning and Budgeting Committee) to discuss floating of bonds and how long should we take to float these bonds. Discussion came down to one point. I think the law says that once the bonds have been used, these bonds could be invested and interest could be gained. This money could be earmarked by submitting an article for Town meeting. This money would be used to defray the first year taxes. I left that in the hands of this committee. This article never got into the Warrant. It was ruled not fitting in that it was earmarking income and income could in no way come in through that route. It had to come back into the Free Cash. Nothing ever came back to our committee and I was surprised. The Town is recommending $300,000.00 to be appropriated toward taxes this year. Mr. Sullivan asked the Selectmen as a group to recommend that the $300,000.00 that is being transferred now be looked upon as $600,000.00. On any bond issue, the first year is the biggest impact that the taxpayer is going to see. If we could ease that first year, the nine after that are not as bad. I am only throwing this out as an idea. Mr. McCormack negotiated all interest, and the payments are not going out as fast. It was the intent that it be turned back as it is the bond money. If we can't do it through a warrant article, we could do it some other way. Mr. Blackadar stated that once the bond money is floated, it is in the custody of the Town Treasurer to immediately invest it as he sees fit. The receipts of any official of the Town are placed in a General Estimated Receipts Account. They can go nowhere else. You cannot spend without appropriations. The estimated receipts received in a given year, the excess goes into the revenue account. If the revenue account has a credit balance, at the end of the year, it goes to the surplus account. If the revenue is not in excess, there is nothing to transfer to the surplus account. Anyone could appropriate at the end of the year. The surplus revenue as shown on our balance sheet as of the end of the year is studied by Mr. McGill. He substracts outstanding taxes, personal and real estate, and declares the balance "Free Cash'. Then it can be voted by the Town for each purpose. This years $390,000.00 plus is that figure that has been floated in the Warrant for consideration. There is no other way it can be taken other than what I have outlined. Mr. Sullivan felt that this money from the bond issue should go back to a tax issue detailing specifically with the school. The bonds were issued over two months ago. Mr. Blackadar informed Mr. Sullivan, that this money goes from estimated receipts to the surplus account. It will reduce the tax rate anyhow. Mr. Lovering asked what the likelihood would be of this money reaching surplus funds. Mr. Blackadar stated that he could not say; it is going into our general account. Mr. Murphy stated that since Mr. Sullivan did not receive any communication that this article would not be in the Warrant, he would ask if a week before the Warrant was ready, for printing, that all department heads be invited in so that they might be aware of all the articles contained in the Warrant. Mr. Murphy asked that he be informed on the bond payments through 1982 to include the high school. Mr. Blackadar stated that this matter was thoroughly explored by the Capital Planning and Budgeting Committee.

Mr. Markham read a copy of a memo from Mr. Blackadar informing the Board that at the Town Meeting of March 12th, 1973, Article 17 covering purchases of various items of Highway equipment was passed. The total sum amounted to $52,454.10, of which $45,000.00 was to be transferred from the Stabilization Fund, $7,454.10 to be raised by taxation. Under Chapter 40, Section 5B of the General Laws, appropriations from the Stabilization Fund require a two-thirds vote. In the case of Article 17, this was not called for and the Article was passed on a voice vote only and is recorded as "so voted". This action is defective and consequently, the transfer cannot be made by the Accounting Office. Chapter 40 also states the appropriations from the Stabilization Fund can only be made at an Annual Town Meeting, except for certain school purposes. Mr. Markham stated that this equipment is needed for the Highway Department. Bids were received and opened on February 21st, 1973. We need to take some action to prevent the loss of the bids on this equipment. Mr. Blackadar stated that there was a voice vote; no record of opposing. Mr. Murphy asked if there wasn't one article left for the purchase of Police equipment. Would it be possible to vote the transfer on that particular article and have it directly recorded on that? Mr. Blackadar stated that the auditors would certainly ask for a vote. Mr. Markham stated that there are two routes: 1. Consider a Special Town Meeting. However, I just received a call from Mr. McDermott and he is suggesting the Finance Committee would be agreeable with them to transfer the money from the reserve fund if and when it is needed, and between now and that time, consider other articles that we might transfer some of this money from the stabilization fund. Mr. Blackadar stated that he would assume that he would ask for a larger reserve fund based on that. Mr. Markham stated that it should be included in the motion for these articles; a transfer from the stabilization fund for the same amount of dollars. At the same time, he is asking through this Board, that the Town Accountant, Town Counsel, be aware of this route. Mr. Lannan stated that he didn't think this could be done. The intent of the Townspeople was to use this money out of the stabilization fund. There is no negative vote recorded. I am sure that Mr. McGill would go along with this. Mr. Markham stated that he thought this was another situation, but he didn't have any hopes for this. Ref. Article 33, reg: Crooked Spring Dam. I would suggest that the transfer from the Stabilization Fund might be appropriated regarding an article of this type. Mr. Blackadar referred to Chapter 39, Section 15, 2/3 vote is required. If the vote is unanimous, the Clerk should record the vote as unanimous. Mr. Lannan stated that it was recorded erroneously. Mr. McCarthy stated that this happened on a land taking; it was recorded wrong. This has already been certified. Mr. Blackadar stated that the Town Meeting action is not official until the Town Clerk informs the Town Accountant. Mr. Lannan asked for Town Counsel's opinion

Discussion regarding funds for Highway equipment.

(Money from Stabilization Fund)

regarding transferring this from the Stabilization Fund using another article. Mr. Markham stated that we have to put our collective heads together, Town Counsel, Finance, ourselves and the Town Accountant and have a brief discussion Monday night. Mr. Murphy moved to present the problem to Town Counsel for his possible solution as he sees the laws and perhaps present that solution to the Board of Selectmen at the Town Meeting and perhaps the Board would make use of his opinion. Mr. Hart seconded the motion. The motion carried unanimously.

Discussion regarding Building Inspector

The Selectmen met with the Building Inspector and Town Counsel to discuss the following: 1. Aggressive enforcement of the zoning and building requirements. 2. Communication with the Board of Selectmen. 3. Plans to be submitted with applications for Building Permits. 4. Clerical help. Mr. Markham stated that there is a matter of communication between the Building Inspector and Town Counsel. It is felt by many of the Board members that there has been a lack of communication and there should be a procedure established from this point on. What can be done to improve this so called communication gap between the three parties. Mr. Lovering stated that during his discussion with the Building Inspector, with regard to some of the correspondence that he thought he was going to answer, it would be appropriate for him not to answer at that time on the advice of Town Counsel, things that would be in court. Rather than have this Board expect an answer from you, I want to know when to expect an answer and when not to expect an answer. Obviously, you have to work very closely on some matters; who are we to look to for a response? Mr. Murphy stated that he was not aware of this, and asked if it were a practive of the Building Inspector to file a monthly report? Mr. Markham stated that this report is just the number of building permits issued and the valuation. He asked if it would be possible for the Building Inspector to add to this report, a summary of all zoning by-law investigations currently under way. Mr. Lannan asked how could the Building Inspector get his time paid for. We are going to impose more duties on the Building Inspector. Mr. Markham stated that communication between the Building Inspector and Town Counsel has been hanging in the air and he thought it might be appropriate in the form of a report, the discussion of the major issues, not every telephone conversation that has occurred; if it was originally addressed to the Building Inspector and then turned over to Town Counsel. Mr. Lannan stated the Building Inspector has the express permission by the Board of Selectmen to consult with Town Counsel when he deems it to be necessary. He always sends us a letter saying that it has been turned over to Town Counsel. Mr. Hart stated that he hasn't had any problems with the Building Inspector. We are not aware of some of the correspondence that goes out to the Building Inspector because we have seen a reply. I don't see that there would be any problem in that the Building Inspector feels that he is not going to give us an answer because he has been advised by Town Counsel. Mr. Lovering stated that if the Town Counsel writes a letter to the Building Inspector, he could give us a copy, and vice versa. If we have a monthly report that gives status, he could also give us a status to keep us informed on what is going on. Mr. Markham stated that matters have been referred to the Building Inspector, and he has pursued them even to the point of notifying the people, a copy of it is turned over to Town Counsel. Mr. McCarthy stated that he thought basically the reason is that somebody is in violation of the by-laws and Mr. McHugh, as

(Continued)
Discussion
regarding
Building Insp

enforcing officer , sends them a letter and probably 80% of his letters have accomplished what he wants; 20% hangs fire until there is some instruction for me to proceed further; I do nothing. Mr. McCarthy stated that he would be perfectly willing to send a copy of every piece of correspondence that goes out about the Town. Neither the Town Counsel or the Building Inspector are given expense money. With the amount of clerical work involved, you are going to make the job quite unattractive and no lawyer will be able to afford it. I asked for $2,000 expense account and the Finance Committee did not find that I needed it. Mr. Markham stated that another approach would be if Town Counsel is not necessarily taking action because he hasn't advised at a specific period of time, maybe if the matter hasn't been corrected, Mr. McHugh could refer this to us and we would, through correspondence have Town Counsel go ahead. Mr. McCarthy stated that he will send a copy and Mr. McHugh will send you a copy. The Selectmen stated that they were concerned because they have not been advised on matters that were pending. Mr. McCarthy stated that in regard to the Gorham Street matter, he thought we have got all the necessary arguments and it is proceeding along. Regarding Littleton Road, we have information that currently strengthens the towns position on this matter. Mr. Markham stated that the Selectmen want to get some feed back. Mr. Lovering stated that if the Building Inspector is prohibited from giving us a response to our request, all we need to know is that it is happening, we can carry it as an open item, not as a continuing item. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unanimously voted to reaffirm to continue the procedures whereby the Building Inspector can communicate directly to Town Counsel on matters. In regard to the necessity of plans to be submitted with building permits, Mr. McHugh stated that he did not now receive plans for additions and renovations. He checks the work to see if it is structurally all right and also the dimensions are on the building permit. Mr. McHugh states that he keeps plans on larger structures, the State comes in and checks the building codes. Mr. Markham stated that the point was quite well illustrated in that the state people need some plans in order to inspect the building. It would be a better business practice. Mr. Lovering stated that all the surrounding towns require plans to be submitted with a building application. He asked if the Building Inspector would start now by attaching a sketch to all building applications. The Building Inspector agreed.

Discussion
regarding
Steadman St.
& Dalton Rd.
traffic

Mr. Markham stated that we are in receipt of an opinion from Town Counsel in response to our request of March 29th, 1973, regarding the authority of the Board of Selectmen under Chapter 85 Section 30 of the General Laws as applied to Graniteville Road and Crooked Spring Road. (Opinion filed in Selectmen's Office.) Mr. Markham also read Town Counsel's opinion regarding the by-law prohibiting the use of Steadman Street and Dalton Road. Mr. Lovering stated that in line with our discussion last week, if the avenue exists for us to exhibit control, we should take the steps necessary to do so. If that means we have to obtain approval from the State, we should do so. In regard to my February 5th, 1973 opinion, there was a concern as to whether or not a law should be passed. You could supply some regulations. The other difficulty in writing this opinion is that I didn't feel comfortable in that we don't have an adequate description of the vehicles going over there. I would

Continued

Discussion regarding trucks on Graniteville Road; Crooked Spring Road; Dalton Road; Steadman Street.

ask that someone go over there and see what type of vehicles were passing over that road. This opinion pertains to the information that we have received. If there is something different going on, we would have to have the Police Department check these out for weight and axles. Mr. Markham asked if the report submitted to Mr. McCarthy was sufficient. Mr. Lannan asked if we have the right to stop these vehicles and could we ask that these trucks go to the scales at the incinerator for a weight check. Mr. Murphy stated that he had reason to be on Crooked Spring Road and had my own personal observations. As I left the area, I happened to follow two trucks who were hauling out fill. I took the registrations down. One vehicle failed to stop from Graniteville Road to Richardson Road. The other vehicle also failed to stop. Neither one of these two vehicles made any attempt to observe the traffic signs. I would ask that the Police Department return to the scene and make further evaluation of these trucks regarding traffic observations. The Police Department should include the length of observations, number of trucks observed. They should be plainclothes policemen in an unmarked car. I would move that we direct the Police Department to make another observation, times of observations and the number of vehicles and number of violations. On Mr. Markham's suggestion, Mr. Murphy also included Graniteville Road along with Crooked Spring Road. On Mr. Hart's suggestion, Mr. Murphy also included that the Police Department be requested to have the trucks weighed in the Graniteville Road area. These are three or four scales in that area. I would also ask that a copy of this opinion be supplied to the Police Chief. Mr. McCarthy stated that Graniteville Road is parallel to Steadman Street and Crooked Spring Road is parallel to Dalton Road. Graniteville Road goes from one town to another. The regulations will have to be approved by the Department of Public Works. Mr. Lovering suggested that at this time we should proceed to contact the Department of Public Works, prohibiting traffic on Graniteville Road and Crooked Spring Road. Mr. Hart requested that the Police Department be contacted to supply an alternate route. Mr. Lannan seconded Mr. Murphy's motion. The motion passed unanimously. An appropriate communication should be prepared to restrict the traffic to five ton trucks on Graniteville Road and prohibit all truck traffic on Crooked Spring Road. Mr. Hart stated that the Registry Official would accompany the Police when he made observations on Graniteville Road and Crooked Spring Road. Mr. Hagopian stated that he would assume that this will ultimately become a regulation if it is cleared by the Department of Public Works. Mr. McCarthy stated that if this Board so votes not to make these rules, these people could petition this at a Town Meeting. Mr. Murphy's motion passed unanimously.

Appointments made

Mr. Hart stated that Mr. Monaco of the Appeal Board is presently an alternate member and the usual procedure is to move the alternates up. Mr. Murphy asked that the administrative Assistant see when Mr. Monaco's term expires; 1973 or 1977. Mr. Hart moved to appoint Mr. John H. Kelly as alternate member. Mr. Lovering suggested a hold be on this appointment. Mr. Lannan moved the reappointment of the Police Station Building Committee. It was unanimously voted. Mr. Markham stated that it should be noted that these committees are not restricted by any statute or by-law. We are soliciting citizen participation. Forms are available in the office for people who are interested in these committees.

Patriots Day to be attended by Selectmen

Mr. Markham read a letter extending an invitation to the members of the Board to participate in the 198th Annual Concord Patriots Day Parade on Thursday, April 19, 1973, as a member of the Grand Marshall's staff. Mr. Lannan moved that the Chairman attend this parade. Mr. Markham stated that he would attend this event and invited all the other members to go.

Sale of Poppies by Amer.Legion

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to approve the request of the American Legion Auxiliary to sell poppies on May 17th, 1973 and May 18 1973.

Tag Day to be held

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to approve a request for the Golden Buccaneers to conduct a Tag Day to be held on Saturday, April 7th, 1973.

Deny permission to conduct Tag Day by Horizons for Youth

Mr. Lannan moved to deny permission for Horizons for Youth 121 Lakeview Street, Sharon, Mass., to conduct a Tag Day on Saturday May 12th, 1973, between the hours of 9:00 A.M. and 5:00 P.M. Mr. Lannan stated that we have Camp Paul and other organizations in our Town to support. Mr. Murphy seconded the motion. Mr. Hart asked if any children from Chelmsford benefited from this organization. Mr. Hart moved that the motion be tabled until we write to them to see if any Chelmsford children are involved in the program. Mr. Lannan withdrew his motion to be tabled for two weeks. Mr. Murphy seconded.

Discussion regarding Zesty Pizza Comm. Vict. License

On a motion by Mr. Hart, seconded by Mr. Lannan, it was voted four in favor (Mr. Lannan, Mr. Hart, Mr. Lovering, Mr. Murphy) one opposed (Mr. Markham) to deny a request relative to a hearing being conducted with the Board of Selectmen regarding a Common Victualer License for the Parlmont Corporation, d/b/a Zesty Pizza, Purity Supreme Shopping Center. Mr. Markham stated that Mr. Lovering and Mr. Murphy should read Town Counsel's opinion of January 23, 1973 regarding this matter. Mr. Hart stated that he would move to deny on the basis as before.They came before this Board for a hearing on a Common Victualer License and the license was denied. Since that time, they did put in a store, they did not have to have this license and it is my understanding that they have had this peition on the counters for people to sign. I don't know if these people who signed this petition realized that we had denied the request.for a Comm.Vict license They were denied; they went ahead and opened for business, and they did not explain to the people that they were denied a request for a formal hearing. I would move again to deny this. We have already given them this permission. Mr. Lannan stated that they said that this petition is in the public good. We are not required to give them another hearing. Mr. Hart stated that new stores have been added to that shopping center in the rear and all that traffic goes out on Boston Road. We would have the same situation as when Atomic Sub was in Parlmont Plaza. They were told that they weren't going to have a Common Victualer License. I don't think that the Town needs another hangout. I don't think the Board has to go through this again because these people have taken this type of action. Mr. Lovering stated the minute you start giving reasons, they can prepare a case. Mr. Markham stated that he would like to again state as in the past, that he would agree to have the applicant come in to at least offer them an opportunity to be heard at this time. I would look upon a venture like this to be left up to the Townspeople. If they did not wish to have that facility, they would not patronize this and they wouldn't be there very long. The Board agreed to send the same letter.

Zoning Violations reg: Pare in E. Chelmsford.

Mr. Markham read a communication from Town Counsel regarding Town of Chelmsford et al vs. Winifred Pare et al. Enclosed was a bill of complaint recently upon Ronald Pare and others concerning zoning violations in East Chelmsford. This matter is scheduled for preliminary hearing in Middlesex County Superior Court on Thursday March 29, 1973.

Cable TV discussion

Mr. Markham stated that we have received a communication from Mr. J. Alan Moyer, 69 Thomas Drive, regarding the moratorium on the issuance of CATV franchises expiring. He stated that this will be available to all members in the Selectmen's office. Mr. Murphy stated that the moratorium ended on March 21, 1973, and licenses may proceed. There is not much time until someone starts with the process before the Town has to decide on it. The point is raised in Mr. Moyer's application to have a committee looking into it before someone walks in the door. The committee should be established. There is a great deal of research material required on it. It will require a lot of study. Mr. Lovering stated that we should interview the candidates for the job. The Board agreed to Mr. Murphy preparing a proposal for the committee in terms of numbers of the committee.

Gasoline problem

Mr. Markham asked that a letter from the Purchasing Agent pertaining to the gasoline problem be put on the agenda for next week and also see if Mr. Olson is available.

Discussion regarding the repairing of Fletcher St. by New Eng. Tel.Co.

Mr. Markham stated that we received a letter from Mr. J. A. Casey Right of Way Agent, New England Telephone, stating that in compliance with the instructions in your letter dated March 26, 1973 our conduit contractor, J. Biotti & Sons has been ordered to maintain the temporary patch that was placed on Fletcher Street Chelmsford. The normal period allowed for a trench to settle is ninety days, then the permanent surface is installed. The permanent resurfacing will take place during the last week in May. Our inspector will continue to check Fletcher Street and have the contractor do any work necessary. Also, Mr. Casey visited this office on April 2, 1973, and suggested that perhaps a representative from the Telephone Company, the contractor and the Highway Superintendent meet and discuss the requirements of the Town as far as road work is concerned. Mr. Murphy stated that his comments were still valid. There are steps that road repairs go through. I think the temporary patch was done on ruts. It is not the quality of the work but it was a pretty lousy job on patching the road. I think the Telephone Company should look to their own contractor to do a good job. Mr. Casey informed Mrs. Haines the reason for going out into the road was by request of the Water Department. The mains are along the side of the road. Mr. Hart stated that a company of this size should do a much better job and the people who are working for them would do a better job for the Towns in the area. Mr. Hart moved that this Board go on record not to allow the Telephone Company do any work until that is fixed. They will be coming before us for additional work and I think we should wait and not give them any other permission in the Town of Chelmsford until the road is fixed to our satisfaction. Mr. Markham asked that a letter be sent to the Telephone Company stating our dissatisfaction with the work. Mr. Hart stated that we said not to do any work in the roads because you can't get a good road surface. They went right ahead and did this work. Mr. Lannan seconded Mr. Harts motion. It was so voted unanimously. The Selectmen also requested that the Telephone Company tell their people who are working in Chelmsford not to park their machines in the road.

On a motion by Mr. Hart, seconded by Mr. Lannan, it was voted unanimously to accept the minutes of meeting held March 5th, 1973.

Minutes of 3/5/73 accptd.

Mr. Lovering made reference to the Lowell Sun, April 1, 1973, stating that R. D. Silverman had won top honors at Technorama sponsered by Lowell Sun. On a motion by Mr. Lovering, seconded by Mr. Lannan, it was unanimously voted to send a communication to him congratulating him and wishing him the best of luck in his next exhibit in San Diego.

New Business

Mr. Murphy requested that the Data Processing item be an agenda item for next week. Also, House bill 3147 as an agenda item.

Mr. Hart asked that the pole number for a light on Billerica Road be given to Massachusetts Electric for a high density light.

On a motion by Mr. Lannan, seconded by Mr. Hart, it was unanimously voted to rescind action on Mr. McNamara as a special police officer of the Town for the Training School as he is no longer there.

Mr. Markham asked that before the water recedes that the members of the Board take a look into the water behind Cushing Place and specifically Care Cleaners. It is quite possible that something might have to be done there. There appears to have been a dam there at one time that is no longer there. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unanimously voted to send a communication to the Highway Superintendent and have him review this and use the services of the Town Engineer before we find ourselves with a flood in Central Square.

Appoihtments made by Sel. to Committees in Town.

Appointments: Mr. Murphy asked for approval of the procedures that he gave to the Board members last week. Mr. Markham stated he only had one suggestion regarding the last paragraph on the second page. Mr. Markham asked that the voting be in the same order of the Board. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unanimously voted to adopt the procedures as amended by the Board. Mr.Hart made a motion to reappoint Mr. E. J. Baldwin as Town Hall Custodian. It was voted unanimously. Mr. Markham asked that a hold be placed on the appointment of Special Constable; he also asked that we receive a report from the Chief of Police in writing in regard to persons we might appoint. Mr. Hart moved to reappoint Mr. Frank Wojtas Dog Office. Mr. Lannan asked that a hold be placed on this appointment. The Board agreed. A hold was also placed on the appointment of Special Police Dog Officer. Mr. Hart moved to appoint Mr. Furness and Mr. Harper as Fence Viewers. It was voted unanimously to appoint Mr. Furness and Mr. Harper. Mr. Hart moved to the Gas Inspector appointment of Mr. Neal Stanley. It was voted unanimously. Mr. Murphy moved to appoint Mrs. Kamien as Moth Superintendent. Mr. Lovering asked that a hold be placed on this appointment. Mr. Hart moved to reappoint Mr. Leron Fielding as Police Station Custodian. It was voted unanimously. Mr. Hart asked that a hold be placed on the appointment of Special Police Officer for School Crossing. Mr. Hart moved for the appointment of four Police Matrons; Mary Long, Emily Peake, Grace Auger, and Nora Clifford. It was voted unanimously. Mr. Hart moved for the appointment of Mr. Ferreria as Sealer of Weights and Measurers. It was voted unanimously. Mr. Lannan moved for the appointment of Mr. O'Rourke as Veterans Agent. It was voted unanimously. Mr. Hart moved for the appointment of the Weighers of Merchandise of the Gilet Wool Scouring. It was voted unanimously. Mr. Lannan moved for the Wiring Inspector Mr. Tucke appointment. It was voted unanimously. Mr. Hart moved to appoint the Chairman of the Board, Mr. Markham to the Northern Middlesex Area Commission. It was voted unanimously. Mr. Hart moved to appoint Mr. John Kelly as an alternate to the Northern Middlesex Area Commission. It was voted unanimously. Mr. Murphy stated that he had a question regarding the Town Report; who appoints the plumbing inspector, Police and Fire Chiefs. (Civil Service) In answer to Mr. Murphy's question, Mr. Markham stated that the Board has not appointed a Town Engineer in the past. There is money in the Highway budget for this purpose. It is up to the Highway Superintendent to hire a person to do this engineering work. He is hired as a consultant on a retainer basis by both the Planning Board and the Highway Department. Mr. Lovering moved to place the other appointments on the agenda for next week. Mr. Murphy agreed but he asked if anyone else wanted to make any nominations tonight, he would be in favor of that. Mr. Hart moved to appoint Robert L. Kydd to the Zoning Appeals Board.

Meeting adjourned.

On a motion by Mr. Lovering, seconded by Mr. Lannan, it was unanimously voted to adjourn the meeting at 11:45 P.M. The Meeting was adjourned at 11:45 P.M.

For the Board of Selectmen,
by Marion E. McCready

Jurors drawn

Jurors drawn on March 28, 1973 by Mr. Thomas F. Markham, Jr.
1. Edward J. Murphy, 34 Garrison Road For Cambridge
2. John Zuis, 30 Ripley Street Superior Court

1. David John Barker, 1 Muriel Road, For Lowell Superior Court

Regular Meeting of the Board of Selectmen held April 11, 1973, commencing at 7:30 P.M.

Members Present

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Murphy, Mr. Lannan. Mr. Hart was ill. Mrs. Haines was also present. Mr. Markham presided.

Members of the press present.

Members of the press present were:
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster (7:55 P.M.)

Bid Opening for Rec. Comm.

Mr. Markham opened the meeting. The Selectmen opened bids for the Recreation Commission. Mr. Murphy read a bid from Marchiano, Shaw Sporting Goods which had no total. Mr. Lovering read a bid from Lull & Hartford. Mr. Dempster stated that the Rec. Comm. usually takes the lowest bid if it is for the good of the Town.

Discussion with Purchasin Agent - gasoline storage for Town vehicles

The Selectmen met with the Town Purchasing Agent, Robert Olson, in reference to Mr. Olson's letter dated Feb. 12, 1973 regarding gasoline storage for the Town's vehicles. Mr. Olson had informed the Selectmen that it was costing the Town considerable more money than need be for gasoline because the supplier had to deliver the gasoline at several small tanks. A study done by Mr. Olson and others from Lowell Tech showed this to be true. The suppliers claimed the extra money was due to time lost in delivery, each contract changes ownership of the pumps (the Town does not own the pumps and each winning bidder on gasoline must buy them from the previous supplier), no night delivery and the necessity of supplying both high and low octane. Mr. Olson informed the Board that the gasoline problem is serious but Gulf had agreed to continue to supply gasoline to the Town until the Town signed a new contract. He informed the Selectmen that bids will go out this week. Before the bids go out, Mr. Olson wanted to ascertain if it was necessary to provide high octane by talking to the various departments. The study done by Lowell Tech representatives indicated that the Town could work on a 94% octane number. Mr. Markham stated that the tanks behind the Town Hall had been there for a long time and the Fire Chief had informed him that he would like to see the tanks removed because of their age. There might be some seepage from the tanks. At one time, all the Town departments were located at the Town Hall. Mr. Markham also stated that it is difficult for the large gasoline trucks to maneuver in to fill the tanks and it is difficult for fire trucks to maneuver in to obtain gasoline. Mr. Markham stated that he had talked to the heads of the three departments most involved. The Fire Chief would not object to a single location at the Highway Dept. The Highway Supt. stated that he could see no problems and he felt they had enough space at the Highway garage. Mr. Olson stated there was a high water table at the highway garage location but concrete slabs could be placed on top of the tanks to hold them down. This would be a 10,000 gallon tank. The Police Dept. claimed that they would have to have some gasoline storage on their grounds to handle the emergencies they encounter during their 24 hour a day operation of police cruisers. Also, all the Town's emergency systems are also run off a generator located at the Police Station. Mr. Lovering asked what would happen if the bid was given this year and then the Town went to a consolidated effort. Mr. Olson informed that the contract would have to be negotiable for this. It would be to the supplier's advantage. Mr. Murphy stated that this would not be done until next year as the new tank installation would need town meeting action. Mr. Lovering stated that if we could show a good savings to the Town, we could find some way of installing our own tanks before Town Meeting action. Mr. Olson stated that the tanks would cost in the vicinity of $2,500. Mr. Olson informed the Selectmen that he did not need a committee to study for a central location as he has already done much of the research needed. Mr. Lovering offered to work with Mr. Olson as a liason between the study group and the Board. On a motion by Mr. Murphy seconded by Mr. Lannan, it was unanimously voted to direct Mr. Olson to come forward with a plan for a single location for fuel and also appoint Mr. Lovering as a liason for the Board in regard to the gasoline study.

Mr. Olson asked the Selectmen permission to return the check to the unsuccessful bidder for the Town Hall septic system. The Selectmen asked that no action be taken on returning this check until the Town Meeting had voted on this article.

Water Stor. Basin req'd. Hatch Act

Mr. Markham read a letter from Raymond A. Cayre, Alpha Development Corp., re: Equivalent Water Storage Basin under Hatch Act Permit #P-1763 Neighborhood Mall Chelmsford, Mass. Mr. Cayre was present and stated that he didn't know of any other places where this is a requirement. Mr. Cayre wanted to relate to the Selectmen in layman's terms what is being required. He also stated that he assumed that water storage basins would be required by the Cons. Comm. from now on. He informed the Selectmen that the basin required will have to be sufficient in size to take the capacity of a 25 year storm. This, he assumed, other than the one or two days a 25 year storm occurs, will be dry. In the event of a storm, it will fill up, then it will disperse. Mr. Cayre explained that a 25 year

Discussion - Water Storage Basin Requirement - Hatch Act - Mr. Cayr

storm is like 6 inches of rain in 30 minutes. The brook across Billerica Road has a capacity for a 10 year storm. Most of the State, city and government storage basin requirements are for 10 years. Mr. Cayre informed the Selectmen that he would be going in for an abatement because this land is no longer useable. Mr. Murphy asked if Mr. Cayre was asking the Board to overrule the Cons. Comm. Mr. Cayre stated that he just wanted the Selectmen to know what the taxable impact would be to the Town. This land was assessed on the re-evaluation very high. Mr. Cayre wanted to make this known to the Selectmen so that they could visualize this with others in the future. In answer to Mr. Lovering, Mr. Cayre had included his concern at the time of the hearing. He stated that there was no one to listen as the Dept. of Natural Resources had no engineer available to sit and talk to and they said that they would abide by the Conservation Commission's decision. Mr. Cayre, had therefore, agreed to the water basin. Mr. Cayre stated that it is important enough to the Selectmen to determine if it is for the good of the Town and if it is going to be detrimental flood wise, then certainly we should take the time to get a qualified engineering standpoint to say that this is impractical. Mr. Murphy stated that he thought the proper action would be to appeal to the Cons. Comm. Mr. Cayre stated that he was not here to rescind the decision. Work will start on this project. He wanted the Selectmen to be aware of the tax impact to the Town. In answer to Mr. Lovering, Mr. Cayre stated that he was not allowed use of this hole. Mr. Lovering stated that in some Western states, they make the hole a street but when you have a major storm, the police close the street to traffic. Mr. Cayre stated that the runoff elevation wise was not a problem. Mr. Markham read Mr. Balco's letter regarding this matter. Mr. Lovering stated that he thought the significant point that Mr. Cayre was discussing is the apparent inconsistency with the other towns. Mr. Cayre stated that if it were a State decision, then all Cons. Commissions would be in favor of this. Mr. Cayre informed the Selectmen that he had projects in other towns which did not require the water storage basins. Mr. Lannan referred to Mr. Balco's letter regarding Chapter 131, Section 40, and stated that the Board should take a look at it and determine just what it is Mr. Lovering requested that the Cons. Comm. be asked why they required this storage basin and other projects similar to this over the next 10 years in terms of acreage. Mr. Cayre stated that he would like to make it clear that he was not requesting an appeal, he is going to proceed with the storage basin. Mr. Lovering stated that he thought there should be some limited use for this land. Mr. Cayre stated that as he understood, at the present time, this land cannot be encumbered. Mr. Murphy stated that we do appoint the Cons. Comm. but they are governed by the State. The Board agreed to send a letter to the Cons. Comm. and request information on why they required this storage basin and similar projects over the next ten years. Mr. Lovering asked Mr. Cayre if he had done any traffic studies in the area of the new mall. Mr. Cayre stated that he had and there are many avenues where federal funds are available for traffic problems. Mr. Cayre agreed to send a copy of a traffic study to the Selectmen for their review. He also stated that the firm who did the traffic study would be interested in meeting with the Selectmen.

Boatman matter referred to Town Counsel

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to turn the Boatman matter over to Town Counsel to prepare the necessary case on behalf of the Board of Selectmen.

Dates-Annual Spring Clean-Up, Recycling Paper Pick-up

Mr. Markham read a communication from the Highway Supt. stating that the Annual Spring Clean-Up would be held the week of April 30th to May 4th, 1973. Also, the Recycling Paper Pick-Up would be held the week of April 23rd to April 17th, 1973. The Board agreed to these dates.

Comm. re: Charter

Mr. Markham read a communication from T.M. Dougherty, Member of the Chelmsford Charter Commission, which stated that there were several provisions in the Charter worthy of consideration. The purpose of Mr. Dougherty's memo was to outline those areas of the Charter which he felt could be implemented outside of the Charter process. Mr. Dougherty listed nine recommendations that could be implemented immediately, others would require voter approval. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to turn this proposal over to the H.R.A.C. for their review. Mr. Murphy stated that there are a very good number of positive things in the Charter. Also, the Board agreed to direct the H.R.A.C. to study the Charter in its entirety and come forward with recommendations for the Board to present to the next Town Meeting before next fall. Mr. Lovering stated that he would like to ask the H.R.A.C. to meet with the Board and maybe we could include some of these ideas before Town Meeting. Mr. Lannan stated that the Charter Comm. did an excellent job in a short period of time. The people are certainly looking for some changes in government. The Board agreed. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unanimously voted to go on record and thank the Charter Commission for all their efforts they put into the Charter and probably in the future, it will be implemented. Mr. Markham stated that the Charter Comm. put in many hours of their own time and put in a proposal that was almost acceptable.

T.M. Dougherty'
letter referred
to H.R.A.C. -

The Planning Board has informed the Selectmen that the updating of the Master Plan will include an updating of the by-laws. On the suggestion of Mr. Lovering, the Board agreed to ask the Planning Board to furnish this Board with the guideline document that they plan on using as part of the selection for the successful bidder to do the Master Plan. Mr. Lovering stated that he wanted this for information only. Mr. Murphy stated that the Board should inform the Planning Board that the Selectmen would like to put some input into the by-laws. He stated that the Board should submit this input informally to the Planning Bd. re: release of bonds on streets, fill removal by-law, appraisals for petitioners, meaning of replacement value.

Master Plan
will include
up-date of
By-Laws

Mr. Markham read a communication from the Planning Bd. informing the Selectmen that the bond for Sleigh Rd. Extension was in the amount of $12,345. On Aug. 25, 1969, they released $8,345 and on Oct. 25,1969, they released the bond in full. Mr. Markham stated that this should be questioned, or ask the Plan. Bd. that an article be placed to establish a by-law that the bonds be held until the streets are accepted. Sleigh Rd. Ext. was just voted and accepted at this Town Meeting. Mr. Lannan asked if the letter the Board sent to the Plan. Bd. reiterating that the Selectmen would like to have the bonds held until the streets were accepted was answered. No answer has been received to date from the Plan. Bd. In answer to Mr. Murphy, Mr. Markham stated that this Board did not know the number of streets that were unaccepted and whether or not the bonds were released. This information is kept by the Plan. Bd. We are not attempting to step into their field except this Board and the Highway Dept. feel the brunt of this if these streets are accepted and they are not up to the proper standards at the time of acceptance. Mr. Lannan stated that this was the reason he asked the question at Town Meeting this past Monday night re: a cul de sac. Last year, some streets had turn-arounds but now the street has become an extension. The developer should have been required to take the turn around out of there. If we accept that land, the contractor won't put a turn around on that street. The Plan. Bd. sets the requirements for the streets when the development is approved. The Highway Dept. and the Town Engineer checks the streets to see if they comply with the standards before we can accept the streets. In the past few years, the Plan. Bd. has been releasing the bonds without this inspection. Mr. Markham stated that if the bonds were held up, the contractor would be encouraged to move along to get the street accepted. Mr. Markham stated that he would strongly suggest that the Board do whatever they can to have the bonds held and get the streets accepted as soon as possible. In answer to Mr. Murphy, Mr. Lannan stated the the Board could not direct Town Counsel to provide a by-law. He stated that it would have to be changed to a zoning regulation. In

Discussion
re: street
acceptance,
release of
bonds

1963, when the present Master Plan was presented to the Townspeople, The Master Plan could not be amended at the Town Meeting. It had to be accepted or rejected. After that, they started to make changes to it. Mr. Lannan hoped that this would not be the case when the new Master Plan is presented. Mr. Lannan asked that this be held aside until the Board received the reply from the Plan. Bd.

Designate 4/19/73 "Coffee Day"

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to designate Thursday, April 19, 1973, as "Coffee Day" for crippled children. This request was from the Easter Seals Society.

Proclaim May 1, 1973, Law Day, U.S.A.

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to proclaim May 1, 1973, Law Day, U.S.A. This request came from the Mass. Bar Association. Mr. Lovering also asked that the Town Celebration Committee be advised of this date and that many communities use this day as a celebration and possibly this could be put on their agenda for next year.

ABCC Regulations-Patriots' Day

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to accept the regulations of the A.B.C.C. for Patriot's Day, April 23, 1973.

Recycling Rpt. Highway Supt.

Mr. Markham read a communication from the Highway Supt. regarding the Recycling Program for the week of March 26 through March 30, 1973. Mr. Murphy stated that he would like at some future time after the Board appoints the EAC, some alternate methods of picking up this paper. Some communities have the paper picked up by volunteer organizations. Mr. Lovering stated that on behalf of Mr. Hart, who is not here tonight, he would second Mr. Murphy's concern for saving money. Mr. Markham also asked that Mr. Rondeau include in his report the incineration fees saved by having this paper pickup.

Authorize stock - Princeton Lounge

Mr. Markham read a communication from the Law Offices of Wilbur A. Hyatt, Law. Mass. requesting the Board to vote and authorize the pledge and assignment of the fifty shares of the capital stock owned by Robert J. White to Robert S. Nazarian and Diana M. Nazarian. This is the capital stock of the Princeton Lounge, Inc. On a motion by Mr. Lovering seconded by Mr. Lannan, it was unan. voted to approve this transaction subject to a receipt of an authorization from the Middlesex Bank. . Mr. Lannan informed the Board that if the shares of the stock are encumbered by the Middlesex Bank for collateral, the bank would have to give a release.

Authorize transfer of C.R.Hillman,Jr. to Lowell Police Dept.

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to authorize the transfer of Charles R. Hillman, Jr., from the Chelmsford Police Dept. to the Lowell Police Dept. to become effective, tentatively, May 13, 1973. Mr. Hillman requested this transfer to take advantage of the Quinn Bill, which the Lowell Police has accepted. Mr. Lannan informed Mr. Lovering that this was the third transfer in the last year and one-half. Mr. Markham stated that the Board should attempt to encourage these officers who do have degrees to stay with the Town and it would be to the advantage of the Town to have such individuals. Mr. Lannan stated that the Quinn Bill was discussed in our negotiations. The Quinn Bill gives credit to courses taken that have nothing to do with law enforcement. We thought these people should not be paid for taking courses other than law enforcement courses. We do reimburse the people who are taking law enforcement courses. The Board agreed to send a letter to Officer Hillman for serving as an excellent officer.

Memo rec'd. from D.Madden, Flood Relief Bd.-Crystal Lake

Mr. Markham read a telephone memo received from Mr. Donald Madden of the Flood Relief Board. Mr. Madden stated that the money to be reimbursed was for the dam and would be forwarded after the Town had spent the money. Mr. Markham asked that a copy of this memo be forwarded to the Crystal Lake Committee and further correspondence be sent to Mr. Madden to see if he is indicating that the amount of dollars from Fay, Spofford & Thorndike will be reimbursed. Mr. Murphy stated that this thing is on its way to another year of red tape. We should also ask the Crystal Lake Committee what has transpired since the report has been accepted. Mr. Murphy also stated that we should have these communications in writing so that the Town would be protected.

Renew Junk Licenses

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to renew the Junk Collector's Licenses to Giles L. Whitney and Arthur Coutu.

Renew Taxi Licenses

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to renew the Taxicab Licenses to Anton L. Anderson, d/b/a/ A & D Taxi and Joseph C. O'Connell, Chelmsford Taxi, Inc.

Vote to trans. $45,000 for Hghy. equip. from Reserve Fund

Mr. Markham stated that in order to rectify the problem which exists with Art. 17 not receiving the 2/3rds vote necessary to take the money for the highway equipment out of the Stabilization Fund, the Finance Committee has recommended that the Board initiate a request for transfer from the Reserve Fund in the amount of $45,000 to cover the cost of this equipment. On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to request a transfer from the Reserve Fund in the amount of $45,000 to cover the cost of the equipment under Article 17.

Comm. from Sen. Kennedy-N.Y.C.

Mr. Markham read a communication from Senator Kennedy thanking the Board for their letter regarding the Administration's announcement to cut off funds for the Neighborhood Youth Corps Program. Sen. Kennedy informed the Selectmen that he and other senators had written the administration complaining about this cut and the fact that the poor were always being asked to pay.

Discussion - Gage Lane

Mr. Markham informed the Board that a communication has been received from Mr. and Mrs. Donald Tech thanking the Board for the work done on Gage Lane. He also wished to thank the Highway Dept. for the excellent work they did on Gage Lane. Mr. Markham stated that this Town has solved the immediate problem but for a long range solution, this Board communicated with the Board of Selectmen in Westford. Mr. Markham stated that he met with Mr. Mulligan, Westford Bd. of Selectmen, and Mr. Mulligan had informed him that Westford had given a legal document granting permission to the parties involved the use of this road which goes through the Town of Westford's Town Forest in October of 1969. Mr. Markham stated that even though the Westford Board of Selectmen may not be aggressive to move forward, they are receptive to hearing further proposals from this town in regard to a solution. They recognize that there is a problem and that there are some Westford residents involved. Mr. Markham suggested that the Board ask the Highway Superintendent for an estimate on the cost to oil the road and to what drainage might be necessary for a long range solution. He asked that these be separate estimates. It would then be necessary to have a subsequent discussion with the Westford Bd. of Selectmen. Mr. Markham stated that the only expense would be an approximate estimate of the costs to provide oil and what drainage would be necessary. The Board agreed to ask for these estimates. Mr. Markham also asked that a copy of Mr. Tech's letter be sent to the Highway Supt.

Req. from Atty. Geary - re: Vrouhas

Mr. Markham read a communication from James M. Geary, Esquire, asking the Selectmen to meet with him to discuss the alleged action of the previous Board which turned the Vrouhas matter over to Town Counsel. Mr. Lannan stated that if this case is in court, the Board should not discuss this subject with Mr. Geary as it would impair Town Counsel's efforts. Mr. Murphy asked if the Board could meet with Town Counsel in an Executive Session. Mr. Lovering stated that it would not be judicious to do this in public. Mr. Markham asked that the Board receive an up-to-date status report on this matter from Town Counsel. Mr. Lannan stated that this matter was in court and we were waiting for an answer. Mr. Lovering requested that this matter be tabled until we get that correspondence.

Appoint. Dog Officer

Mr. Frank Wojtas met with the Selectmen regarding the appointment of the Dog Officer for the Town of Chelmsford. Mr. Markham stated that the Town Meeting

Appoint Dog Officer (cont'd.)

voted the sum of $6,240 per annum for the Dog Officer and $2.50 per hour for the Assistant Dog Officer(s). Mr. Wojtas stated that he would be willing to accept this position for another year. Mr. Murphy pointed out to Mr. Wojtas that the salary as indicated in the budget is for a full-time position, 40 hours a week. This position also involves the supervision of an assistant dog officer. You would have to have aggressive enforcement of the dow law and take the proper punitive action. Mr. Murphy understood that Mr. Wojtas did not find it pleasant to take proper punitive action. The Town wants enforcement of the dog leash law 84 hours a week. Mr. Murphy asked Mr. Wojtas that if he were appointed Dog Officer, would he have a plan to direct the assistant dog officer(s) and could he in good conscience direct the assistants and take punitive action. Mr. Wojtas said he would be willing to do all that was required. Mr. Lovering asked Mr. Wojtas is he had given any thought about the assistants and how it would work. Mr. Wojtas answered yes. Mr. Murphy asked how many punitive actions had Mr. Wojtas taken to have dogs restrained or requested the Board to take action on. Mr. Wojtas stated that he tried to take care of the complaints himself. Mr. Lannan stated that the Dog Officer does not have the power to restrain the dogs. Also, the Board had instructed the Dog Officer to keep the Adm. Asst. informed of where he would be in the Town during the week. Mr. Lannan stated that one of the duties of the Dog Officer is to take the cases to court. Mr. Lannan informed Mr. Wojtas that a truck is being repaired for the use of the Asst. Dog Officer. Mr. Lannan stated that he was sure that the Asst. would be under the supervision of the Dog Officer as the only kennel in town is in Mr. Wojtas' back yard. Mr. Wojtas informed the Board that no one has applied for the position of asst. dog officer. On a motion by Mr. Lannan, it was unan. voted to appoint Frank Wojtas, Dog Officer. Mr. Lovering stated that he would like to have aggressive enforcement of the leash law. Many residents in Chelmsford feel as though their rights are being infringed upon. We have to come up with a compromise that accomplishes those things. We are looking to do some of those things that we haven't been able to do in the past years with just a part-time dog officer. Mr. Markham stated that in the past we have had a part-time dog officer available and in terms of enforcement, I have received excellent feedback from the neighborhoods regarding Mr. Wojtas solving the dog problems. He has had to bring a few hearings before this Board within the past two years. These hearings were based on the fact that Mr. Wojtas and the parties involved did not arrive at a solution. The procedure in the past has been somewhat different that what we expect in the future. In the past, if a solution could not be found, it would be brought to this Board for a hearing, then the courts might be the next step. Now, if there is a particular violation and this becomes a known violation, this will immediately be reported to the proper court channel for corrective action. We are looking for a stronger dept. in the future as a result of more people in the Dog Officer's Dept. Mr. Markham also stated that there is an article in the Warrant for a two-way radio for the Dog Officer. Mr. Murphy asked Mr. Wojtas if he had another job which would conflict with his duties as a full-time Dog Officer. Mr. Wojtas stated that he is home 90% of the time when he receives dog complaint calls. He does have a job 15-20 hrs. a week. Mr. Markham stated that we would have to consider what should be full-time. Even though the by-law is effective 12 hrs. a day, one person cannot be expected to be on the job 12 hrs. a day, 7 days a week. Mr. Murphy stated that a regular schedule for the Dog Officer and his assistants should be established. Mr. Murphy stated that he would go along with this appointment but next year he would evaluate his choice. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to advertise for an assistant Dog Officer. Mr. Markham requested that the Dog Officer make out a schedule and we can determine whether or not we will have one or more assistants. Mr. Murphy moved to table his motion until we have this information. Mr. Lovering suggested that Mr. Wojtas meet with the Adm. Asst. and come up with a schedule. On a motion by Mr. Lannan, it was unan. voted to appoint Mr. Wojtas as Special Police Dog Officer and also notify the Police Dept. of this appointment.

Motion to hold on appointments

On a motion by Mr. Lannan, seconded by Mr. Murphy, it was unan. voted to hold and table other appointments until the next meeting. Mr. Hart had requested to be present when appointments were made. Mr. Jack Kelly, Chairman of the Town Democratic Committee has requested the Selectmen to consult the Town Committees when making a bi-partisan appointment. In regard with the vacancy on the Bd. of Registrars, Mr. Murphy moved that the Board comply with this request. He stated that he would like to support this request as this is a good way of doing business. Mr. Lannan asked what about the other people in the Town. Mr. Murphy stated that the other people nominated these people in these positions. Mr. Markham stepped down from the Chair to second the motion. Mr. Lovering asked that a hold be placed on this to allow Mr. Hart to be present. Mr. Murphy moved to table his motion. Mr. Lannan referred to Mr. Kelly's letter and stated that this would apply to all precinct workers too.

Data Proc. - Contract

In answer to Mr. Murphy, Mr. Markham stated that the problem of the contract for Data Processing Services pertaining to the Bd. of Registrars has been solved. It was stated that the contract be accepted by the Town in the name of the Purchasing Agent on behalf of the Town. In our case, the Purch. Agent is Acting under EEA appointment so the contract acceptance by the Town was changed to be accepted by the Bd. of Registrars. They have the legal right to accept such a contract. The dollars are in their budget for this contract. They have signed to accept this contract.

Motion to support House Bill 3147

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to support House Bill 3147, which is "An Act Providing For The Acceptance By Cities, Towns and Fire Districts Of The Law Relative To The Compensation Of Police And Fire Chiefs". Mr. Murphy stated that this bill is asking that the compensation for Fire and Police Chiefs be a matter of local option rather than handled by the State as it is now. Under this bill, no salary already given under the present law may be rescinded. Mr. Murphy stated that he is getting numerous items on bills before the State Legislature. It is difficult to give quick response to these bills. The Mass. Assoc. of School Committees has a legislative liason who is given the power more or less to communicate to the legislature in a timely fashion. There are now 7,700 bills in the legislature. If we intend to be effective, we have to come up with a better method. Mr. Lovering asked that a letter be sent to our rep. re: House Bill 3147. In answer to Mr. Lannan, Mr. Murphy stated that the H.R.A.C. proceeded to take on a job of reviewing the existing legislation. They are having a problem trying to stay with the 7,700 bills. The mere accumulation of those bills from the State is a very difficult task. The H.R.A.C. has singled out 200 bills to be studied in more detail.

Motion opposing House Bills 6108 and 6109

Mr. Lovering stated that we have a communication from Bruce Campbell, Comm. of the Dept. of Public Works urging the Board to actively support House Bills 6108 and 6109. Mr. Lovering stated that in regard to these bills being proposed, there are two points: 1. increased monies to the cities and towns for road work, 2. in return, the towns would have to assume a portion of the debt of the M.B.T.A. This has been discussed many, many times in the past. The fantastic increase in money for roads places the town in a terrible situation of becoming involved in the MBTA debt. Mr. Lovering stated that many town officials have spent hours trying to remove themselves from the M.B.T.A. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to go on record as being opposed to House Bills 6108 and 6109 and communicate this vote to Rep. Freeman and Sen. MacKenzie. Mr. Murphy stated that this Board has not had enough time to research these bills. From what he has seen, it is a sugar coated pill. Over the long run, it may have some dire consequences. Mr. Murphy stated that these bills should be researched more and asked if Mr. Lovering would include in his motion that this be referred to the H.R.A.C. for their review and ask that they forward their recommendations on House Bills 6108 and 6109 within five to six weeks. Mr. Lovering agreed to include this in his motion. Mr. Lovering stated that the real problem is that you are giving the guarantee that you are assuming the debt but you have no guarantee.

New Business

Mr. Murphy stated that in light of the newly released state licensing regulations and the wide, long term impact of cable television, I move that the Board of Selectmen appoint a seven (7) member committee to study, over a one year period, cable television as it would apply to Chelmsford and to prepare a formal, written, final report of their findings. The report is to indicate the potential value and need of cable television to Chelmsford, the advisability of entering into the licensing process as defined by state regulation, and recommendations for local regulatory control and license evaluation criteria. In the course of their study, the committee would be expected to become knowledgeable in current and proposed state and federal CATV regulations and to communicate with past and present community cable television advisory committees throughout Massachusetts. Of the seven committee members, one must have telecommunication background; one, a digital computer background; and one, an education background. Committee appointments are to be deferred until May 7th to allow ample opportunity for wide citizen response to the committee openings. Mr. Lannan seconded this motion. The motion passed unanimously. Mr. Murphy stated that this in no way says the town is interested in CATV. In answer to Mr. Markham re: is it necessary for legislative action for a town to have its own station, Mr. Murphy stated that they would need this for the bond issue.

Referring to Article 11 which was passed at the 1973 Town Meeting pertaining to the installation of a water main to Wellman Park in No. Chelms., Mr. Markham said that it was brought to his attention that the State has plans to resurface that part of 3A from Vinal Square to the Tyngsboro line. He asked that the Board communicate with the Dept. of Public Works informing them that this article has passed and construction of this water main will be starting almost immediately. Also, communicate with the Water District stating that the article has passed. If there are any problems, the Board of Selectmen will be willing to assist them in carrying out this project.

Mr. Markham referred to the Special Town Meeting this past Monday night, and the fact that the Personnel Bd. did not speak out in defense of Art. 2A. It was a Personnel Bd. article and the Personnel Bd. had requested that the article be resubmitted as it was originally submitted. They should have justified the dollars in the article. The Selectmen, as a Board, just provided the mechanics to have a Special Town Meeting. Mr. Murphy wished that the list of the corrective motions had been presented when the Bd. met with the Fin. Committee. Mr. Lannan agreed with Mr. Markham's comments. Mr. Lovering stated that there is no use in trying to reconstruct this. The significant point is that lessons have been learned by all boards at this Town Meeting and we will know how to conduct ourselves for next years town meeting. It should not have been allowed to get as complicated as it did.

Meeting Adjourned

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to adjourn the meeting. the meeting was adjourned at 11:00 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen held April 18, 1973, commencing at 7:30 P.M.

Members present

Members present were: Mr. Markham (7:35 P.M.), Mr. Lovering, Mr. Murphy, Mr. Hart. Mr. Lannan was on vacation.

Members of the press present

Members of the Press present were:
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Mr. Lovering opened the meeting at 7:30 P.M. and called a five minute recess. Mr. Markham was representing the Board of Selectmen at a meeting of the N.M.A.C. He arrived at this meeting at 7:35 P.M.

Deed forwarded to Town Counsel re: Art. 26

The Selectmen were in receipt of a deed signed by the Conservation Comm. for property referred to in Article 26 of the 1973 Town Meeting. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to forward this deed to Town Counsel for his review and recommendations before the Board signed the deed for the actual acceptance of this land.

Bldg. Insp. Report-March

Mr. Markham read the Building Inspector's Report for the month of March. No. of permits issued, 44, amount of permits, $478,590.

Mr. Markham read a comm. from the Bldg. Insp. to Commodore Foods informing Commodore Foods that they are in violation of the Town of Chelmsford By-Laws with signs in Chelmsford directing traffic to their plant in Westford. Mr. McHugh ordered Commodore Foods to remove their signs that are now located in Chelmsford.

Graniteville Rd.-Traffic Survey

Sgt. Adams has informed the Selectmen that he has asked the assistance of the Registry of Motor Vehicles in determining the traffic on Graniteville Road and Crooked Spring Road. Mr. Markham stated that the Registry has been working with the local police for the past two days. However, it appears because of the police and registry being in the area, the trucks have decided to take another route. These statistics will have to wait until the trucks reappear. The Police Chief has indicated that this surveillance will continue so that we can make our necessary application to the State on those roadways.

Request for use of M.C.T.S

Mr. Markham stated that the Bd. of Selectmen is in receipt of a petition dated April 8, 1973, requesting the use of the grounds at the Middlesex County Training School for the youth of No. Chelmsford. The petition contains more than 100 signatures. Mr. Murphy asked that follow-up correspondence be sent to the Middlesex County Commissioners regarding the Board's request to use the ball fields for the Little League. Mr. Markham stated that when he talked with Comm. Tsongas recently, the County Commissioners were hesitant to allow the Little League to use the fields because of the liability that would be involved. Mr. Murphy stated that they have certain insurance. He asked what liability does the Town have? We should get an answer to our request. to the County Commissioners.

Discussion re: M.C.T.S. facility
Arrange Open House for Town groups

Mr. Lovering stated that in reference to the training school, the various groups in Town, including Recreation Comm., student leaders at the high school, Senior Citizens, etc., should have the opportunity to see the grounds. Mr. Lovering suggested an additional Open House so that we could see what the Town as a whole, would propose for the use of the facilities. Mr. Lovering also asked that the Selectmen request a meeting with the County Commissioners to pursue with them the extent of their interest. He stated it would be meaningless to put together a proposal if they were not interested in a proposal for the entire facilities. Mr. Lovering stated that we have to know if we have support from the various town groups and their interest in these facilities, then we can submit a proposal to the County Commissioners. He said he would like to schedule this Open House within the next two weeks.

Crooked Spring Rd.-Sub-Div.

Mr. Markham stated that in reference to the meeting regarding Crooked Spring Rd., Sub-Division, with Mr. Dempster and Mr. Wood - heavy truck traffic and gravel being hauled out of the area, we have received a reply from the Building Insp.

Crooked Spring Rd.-Sub.-Div. (cont'd.)

which stated that a sub-division comes under the Rules and Regulations of the Planning Bd. Mr. Dempster had appeared before the Planning Bd. and explained his situation. The Planning Board had approved the Sub-division for development. In a Sub-Division, you are allowed to extend below the road level as the new roads in a Sub-division are to be built to Town Regulations and approved by the Town Engineer. The drainage also follows these procedures. Mr. McHugh stated that he had never heard of a sub-division coming under Section X, Earth Removal, which needs a special permit issued by the Bd. of Appeals, as Mr. Dempster mentioned. Mr. McHugh stated that the Planning Bd. turned this matter over to the Bldg. Insp. and I have contacted Town Counsel with whom I will meet concerning this incident. Mr. Markham stated that as he recalled, the plans pertaining to the depth in which the excavation was going to take place were not available. The reference was not so much to the excavation near the houses but near the gravel banks. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to pursue this matter further with the Building Inspector and Town Counsel.

Meeting to discuss Memorial Day Parade

The Selectmen met with representatives of the Legion Posts to discuss plans for the Memorial Day Parade. Each year a different post hosts the parade and this year the No. Chelms. Legion Post will hold the parade. Legion members present at this meeting were: Timothy O'Connor, Herman Purcell and Carl Reedy. Mr. Reedy presented the route that the parade would take. Mr. Murphy asked that the Legion provide a parade route long enough and wide enough to accomodate the large crowd. Mr. Markham asked if the Legion would consider having Sgt. Donald MacPhail in an honorary position in the parade. The Legion members stated that they would consider this and contact the Selectmen in the near future with the parade route and other details.

Recycling Report - EAC

Mr. Markham read a communication from Ina B. Greenblatt, Chairman, of the Recycling Committee which included the amount of paper recycled in March. Mrs. Greenblatt also asked if the Selectmen had some suggestions regarding scavengers picking up large amounts of paper.

Middlesex County Budget Discussion

Mr. Markham read a communication from the Office of The County Commissioners inviting the citizens of Northern Middlesex to a discussion of the Middlesex County budget on Thursday, April 19, 1973, at the Lowell City Hall.

N.E.Tel. & Tel. Hearing - Rep. from Tel. Co. did not attend

Mr. Markham stated that a hearing was scheduled for N.E. Telephone for 7:30 P.M. No one was present to represent N.E. Tel. at this hearing. Mr. and Mrs. Richard Larivierre, owners of property at 70 and 72 Tyngsboro Road, abutters were present. All abutters were notified. Mr. Murphy stated that he considered this a discourtesy of the Tel. Co. to arrange for a hearing and not have a representative present. Mr. Murphy asked that a letter be sent to the Telephone Co. notifying them of the Board's feelings. Mr. Hart suggested that the Board hold the hearing and he would ask that no more underground conduit work be allowed until Fletcher St. is repaired, and no permit be issued for this work on Tyngsboro Road. Mr. Lovering stated that the Board cannot hold a hearing if the applicant is not present. Mr. Hart felt that the Board could hold this hearing. He stated that he was opposed to digging up the roads for underground conduit. Mr. Murphy asked if the proper bonds have been filed with the Town Accountant according to the Town By-Laws. Mr. Markham stated that he had talked with the Highway Supt. and the Highway Supt. informed him that the major utility companies that do work continuously in the Town have annual bonds on file with the Town. Mr. Murphy asked that this be verified. On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted that the Board take no action this evening on the request of N.E. Tel. Co. and also inform them that we will not approve this until the work on Fletcher Street is done to our satisfaction. The Board agreed to instruct the Adm. Asst. to find out who should notify the abutters for hearings.

Request from Atty. Gaffney for Bd. to furnish him reason for denial of C.V.L. for Zesty Pizza

A communication was received from Atty. John T. Gaffney, stating that he had received the Board's letter dated April 6, 1973, advising him that the Board had voted to deny The Palmont Corporation d/b/a/ Zesty Pizza, a hearing on their request for a common victualer's license. Mr. Gaffney also stated that it was always his understanding that if it was in the public interest that a common victualer's license should be granted then the only way to determine the public interests is through a public hearing. He also stated that they have signatures of approximately 1000 persons who are requesting that food be permitted to be eaten on the premises. In view of this public demand, it is inconceivable that a CVL should not be granted without just cause. Denial of a hearing without just cause constitutes action which is arbitrary, capricious and is discrimination. Request is hereby made that the Bd. of Selectmen furnish to me as Attorney for the Palmont Corp., the reason for the denial of the hearing on the application for a CVL as set forth in my letter of March 26, 1973. Mr. Lovering stated that it seemed to him that based upon the latest correspondence as well as the signatures, it is going to be difficult for the Bd. not to schedule a hearing for the applicant to present his case. Otherwise, they can prepare some argument which could be detrimental to the Board. Mr. Lovering suggested that the Board consider this and arrange a hearing for a future date. Mr. Hart asked that the Board correspond to this law firm stating that a hearing has already been held and the license was denied. This is the reason I felt that we should not hold another hearing. Mr. Lovering asked if this was the same type of license, same location. Mr. Hart answered yes. Mr. Markham stated that in October, 1972, the applicant requested a hearing. We scheduled a meeting on Tuesday, Oct. 24, 1972. On Dec. 11, 1972, a letter was sent to Palmont Corp. informing them that at a meeting of the Board of Selectmen held Dec. 4, 1972, it was voted to deny the Common Victualer License. Subsequent to this, we have had several letters from Mr. Palmer, and most recently, from his Attorney. The Board agreed to send Mr. Gaffney a copy of the correspondence which was mailed to them last December, to refresh their memory as to a hearing being held.

Hearings on proposed redistricting

Mr. Markham reminded the Board that hearings on the proposed redistricting will be held on April 24, 25 and 26. Mr. Murphy hoped that the Board would take some position at the hearings and he stated that he would be glad to represent the Selectmen at these hearings. It seems that the only proper place to make the final presentation would be at the hearings. Mr. Murphy stated that the H.R.A.C. receives all the bills that are filed and to date, they have not received this bill. Also, there is no pictorial presentation so you can not see the plan. Mr. Murphy stated that it concerns him that most people in East, the Westlands and North may not even be aware that they are going into some other districts. He would like to see some comment from the public. Chelmsford and Lowell are one part of the redistricting puzzle, they can solve the puzzle by leaving Chelmsford with one representative.

Appointments-Hold

On a motion by Mr. Hart seconded by Mr. Murphy, it was unanimously voted to hold on making any appointments until a full Board is present.

Vote to ask Town Dem. Comm. for Bd. of Reg. vacancy

On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to ask the Town Democratic Committee for recommendations for the appointment to the Bd. of Registrars, also ask all partisan committees for their recommendations when vacancies become available.

New Business

Mr. Murphy presented the Board with a draft of the standing rules and asked for any suggestions or modifications the Board might have regarding these rules. Mr. Murphy also stated that the Appointed Committee Handbooks are now in Mrs. Haine's office and he asked that every member of all the committees receive a booklet in the mail and a cover letter stating that if they have any suggested improvements, submit them to the H.R.A.C. for an update next year.

Request for signs

Mr. Markham stated that he was in receipt of a request from residents of Dayton Street in West Chelmsford asking for a "Slow Children" sign. Also, a request was received to erect a Blind Driveway sign on North Road in the vicinity of Erlin Road. The Board agreed to forward these requests to the Police Dept. for their study and recommendations.

Mr. Markham stated that we corresponded on Dec. 20, 1972, with the Billerica Bd. of Selectmen regarding a serious problem of water running from Billerica onto Chelmsford roads. This afternoon, I met with Mr. Rondeau, Mr. Leahy, Public Works Administrator from Billerica, and the Highway Supt. from Billerica to inspect this problem. The water is still flowing, some is a natural flow, some is unnatural. In an attempt to correct this problem, Mr. Leahy is going to communicate with Geartronics and also I informed him that this Board will communicate with Geartronics in an attempt to correct this situation. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to contact Geartronics regarding the water problem. Mr. Markham stated that Billerica Rd. is in need of repairs but it would be useless to try and fix the road until the water problem is corrected.

Meeting Adjourned

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 9:00 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen held April 24, 1973.

Members present

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Murphy, Mr. Hart and Mr. Lannan. Mrs. Haines was also present. Mr. Markham called the meeting to order at 7:30 P.M.

Ride A Bike For The Retarded Proclamation

The Selectmen signed a proclamation presented by the Jaycee-ettes (Janet Snyder and Terry Gallagher) declaring April 29th, 1973, Ride a Bike For The Retarded Day. The Jaycee-ettes invited the Selectmen to attend the ribbon cutting ceremony which will be held at the High School at 12:30 P.M., Sunday, April 29, 1973.

Request to appoint a rep. to the 4C's Committee of Greater-Lowell

The Selectmen met with Louis Murray, Chairman of the Greater Lowell 4 C's Committee. Mr. Murray informed the Selectmen that this committee is under the Office of Children with David Liederman as Director. Mr. Murray gave the background of the Committee and provided the Selectmen with written information for their files. There are 39 councils throughtout the State. Mr. Murray asked that the Selectmen appoint a representative to serve on this committee. This representative will not only keep the Selectmen informed in regard to the committee but if the Town of Chelmsford felt that there were services for children that are not being provided, they could get this information to the State. The Board agreed to appoint a representative to this Committee within the next two weeks. Mr. Murray stated that the funding will possibly be from Title 4A, whereas, every dollar you give locally, you get $4.00 back. Title 4A is now being overhauled. Mr. Murray stated that Chelmsford and the other towns will also be assessed a certain amount of money. Mr. Murray stated that Mrs. McAuliffe has given her time to the program and has attended the preliminary meetings of this council. The Board agreed to ask the press to make this appointment known to the Townspeople and ask that they submit applications for this appointment.

Award bid for Police Cruisers

On a motion by Mr. Lannan seconded by Mr. Lovering, it was unanimously voted to award the bid for five (5) new 1973 Chevrolet Sedans for the Police Dept. in the amount of $15,966 plus one 1971 Chevrolet and three (3) 1972 Chevrolets as trade-ins to Peter Hallissy Chevrolet, Inc. The motion included that Hallissey Chevrolet tow a vehicle, which is included in the trade and was damaged in an accident, from the Police Dept. garage immediately.

The Selectmen met with James Geary, Esquire, to discuss the subject of an Industrial Development Financing Authority for the Town of Chelmsford. Mr. Geary introduced Mr. Roger Jewett and Mr. George Sheehan, from the State Department of Commerce and Development, who would explain the regulations under Chapter 40D of the General Laws, Mr. Austin Broadhurst, Bond Counsel from Boston, Mr. Rudy Morin, Freight Manager for Wilson Freight, and Mr. Gordon Benson, Channel Building Company, proposed contractor for Aetna Cartage Company. Mr. Walter Dronzek, Chairman of the Industrial Development Commission and Mr. Richard McDermott, Chairman of the Finance Committee were also in attendance at this meeting. Mr. Geary stated that he wanted to present a proposal for the creation of an Industrial Development Financing Authority as one of his clients (Aetna Cartage Company) was interested in obtaining financing through municipal involvement. Mr. Broadhurst explained to those present the creation of an Industrial Development Financing Authority, how it operates and answered questions concerning the legal ramifications of creating an authority. After a lengthy discussion, the Board agreed to ask the Industrial Development Commission to review this matter and report their recommendations to the Board of Selectmen regarding municipal bonds under Chapter 40D. The Board also asked that the Town Accountant, Town Treasurer, Town Counsel and the Finance Committee be furnished with the information regarding Chapter 40D and that they forward their recommendations to the Board of Selectmen. Mr. Geary stated that he would furnish this information to the above. Mr. Geary hoped that the Board would consider calling a Special Town Meeting within the present Town Meeting for the purpose of creating an I.D.F.A. To establish an I.D.F.A., a vote must be taken at Town Meeting. If approved, the Selectmen would appoint the members of this authority and approve each bond issue. The Selectmen asked that the Industrial Development Commission and the Finance Committee review this matter and report their recommendations back to the Bd. of Selectmen next week.

Discussion re: Industrial Development Financing Authority

Mr. Murphy asked that a hold be placed on approving the minutes of meetings held 3/ 6/73, 3/8/73 and 3/14/73. He stated that the Board should consider at what point the minutes should be accepted. The committee to establish new meeting rules should suggest recommendations in terms of the Board's review and acceptance of the minutes.

Hold - Minutes of Meetings 3/6/73, 3/8/73, 3/14/73

Mr. Markham read a communication from Mr. Blackadar, Town Accountant, which stated, please be advised that Chapter 138, Section 34B provides in part that "any person who shall have attained age eighteen may apply for a liquor purchasing identification card. Such cards shall be issued by the licensing authority of the city or town". It would appear to be no longer legal for these cards to be issued by the Town Clerk. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unanimously voted to direct the Administrative Assistant to review the legislation which refers to drinking permit cards for 18 year olds and come back to the Board with recommendations as to who should issue the liquor I.D. cards. The motion also included that Mrs. Haines contact Town Counsel if required.

Issuance of Liquor I.D. Cards

Mr. Markham read a communication from the County Commissioners referring their attention to the enclosed petition from concerned citizens for a recreational center for the youth of Chelmsford. The Commissioners also asked that the Bd. of Selectmen submit a proposal for the use of the Middlesex County Training School and include supervision and funding of same. Mr. Lovering stated that an Open House has been scheduled for May 6, 1973, at 10:30 A.M. in order for the various organizations, committees, departments to view the grounds of the Middlesex County Training School. Over 100 citizens have been invited to attend this Open House. The Open House will consist of a presentation by Mr. Lovering, a tour of the grounds, followed by a question and answer period. After this Open House, a meeting should be set up between the Bd. of Selectmen and the County Commissioners to discuss Chelmsford's use of this facility.

M.D.T.S. Open House May 6, 1973

Chelmsford's Population 30,341 as of Jan. 1, 1971

Mr. Markham read a communication from the Secretary of State, Commonwealth of Massachusetts declaring Chelmsford's population as of January 1, 1971, as 30,341. These figures were taken from the Town census.

Bd. of Assessors - J.M. Field's trailers

The Selectmen received a communication from Charles A. House, Chairman, Bd. of Assessors referencing their letter of April 10, 1973, pertaining to three permanent trailers located on the J.M. Fields property. Mr. House stated that the Assessor's Dept. has been aware of the presence of these trailers for some time. Please be advised that the subject trailers do not constitute real estate and are therefore not taxable as real estate. This type of property is classified as Personal Property and is taxable as such. However, in the case of a Corporation, personal property becomes taxable under the Corporation tax. The above property has not been included in the assessment of the property locally, nor will it be locally taxable in the future. Mr. Hart commented that the cleanliness had not improved since the Board's meeting with the J. M. Field's manager. Also, several store personnel in the immediate vicinity have claimed they never see the pick-up men as described by the manager. Mr. Markham stated that the Board is still waiting for an answer from the Bldg. Insp. on the question of whether or not the parking would be sufficient under the Town by-laws if part of the parking space is used for the Leisure Living Sale.

A.B.C.C. - Certificate of Good Standing req'd. for All Transfers of Lic.

The Selectmen received a communication from the A.B.C.C. regarding Certificates of Good Standing for All Transfers of Licenses. The Commission will not take any action on any application that does not contain said "Certificate of Good Standing" as issued by the Dept. of Corporations and Taxation. This certificate is applicable to corporations and individuals alike and the timely filing of such will expedite the action of the Commission.

Req. meeting re: truck traffic, Graniteville Rd.

Mr. Markham read a communication received from Mr. David Wilcox, 205 Graniteville Rd. requesting a meeting with the Selectmen pertaining to truck traffic on Graniteville Rd. Mr. Markham stated that he talked to Mr. Wilcox and Mr. Wilcox agreed to postpone this meeting until all the information needed was collected by the Police Dept. Mr. Markham stated that we have received a preliminary report from the State today and asked that the Board members review this report.

Appointments Sp. Police Officers

On a motion by Mr. Hart, it was unanimously voted to reappoint George W. Marinel, Francis DeAngelis and John M. Reiss as Special Police Officers for School Traffic Duty.

Moth Supt. Myles Hogan

On a motion by Mr. Lannan, it was unanimously voted to reappoint Myles Hogan, Moth Superintendent. Mr. Murphy informed the Board that Dr. Kamien stated that she did not hold the proper licenses so she asked that her name be withdrawn. Mr. Murphy also asked that when the Board reappoints the Environmental Advisory Council that we ask them to come in with a plan to consolidate the Dutch Elm Supt. and the Moth Supt.

Remove Sp. Constable

The Board agreed to remove the position of Special Constable from the list of appointments until someone comes up with a reason to reestablish this position.

Alt.-Bd. of Appeals

On a motion by Mr. Hart, it was unanimously voted to reappoint John H. Kelly, Jr., 163 Boston Rd. as an Alternate Member of the Bd. of Appeals.

Alt.-Bd. of Appeals

On a motion by Mr. Lannan, it was unanimously voted to reappoint Marshall Arkin, 24 Sierra Drive as an Alternate Member of the Bd. of Appeals.

Hold - CATV

The Board agreed to hold on appointments to be made to the CATV Advisory Committee until May 7, 1973.

Cons. Comm. Appointments

On a motion by Mr. Murphy, it was unanimously voted to reappoint John J. Balco, Florence H. Gullion and Donald A. House to the Conservation Commission. Mr. Markham asked that the Conservation Commission be asked if they would consider appointing alternates to this Commission if it is legally possible, as the Cons. Comm. is becoming more and more important.

Hold - Town Forest Comm.

Mr. Murphy asked that a hold be placed on the Town Forest Committee appointments until Mr. Bovey communicates with the Selectmen.

Historical Commission Appointment

Mr. Murphy moved to appoint James Wolfgang to fill the unexpired term of Robert Wolfgang. Mr. Hart moved to appoint Mr. Robert Geary to fill the unexpired term of Robert Wolfgang. Mr. Murphy, Mr. Lovering and Mr. Markham voted in favor of James Wolfgang. Mr. Hart, Mr. Lannan voted to favor of Mr. Geary.

Historical Commission Appointment

On a motion by Mr. Murphy, it was unanimously voted to appoint Richard O. Lahue to the Historical Commission for a three year term.

Bd. of Reg. Appointment - Michael Devine

Registrars of Voters nominations - Mr. Hart moved to reappoint Mr. Verano, Mr. Murphy nominated Michael Devine, Mr. Lovering nominated Mrs. Gail Murray, Mr. Markham nominated Edward McCaffrey, Mr. Lannan seconded the reappointment of Mr. Verano. The second ballot remained the same. Before the third ballot, Mr. Lovering asked that the Board reconsider its votes on the first two ballots in consideration of Mrs. Gail Murray, who has worked for the Election process and is most capable for this position. In line with minority rights, Mr. Lovering stated that he was sure it would be a very welcome addition to the Bd. of Registrars. At least 50% of the voters are women and I think a woman should be appointed. On a motion by Mr. Murphy, it was voted four in favor, Mr. Murphy, Mr. Markham, Mr. Lannan, Mr. Hart to appoint Mr. Michael Devine to the Bd. of Registrars.

Hold - Indus. Develop. Comm.

Mr. Murphy asked that a hold be placed on the appointments to be made to the Industrial Development Commission and asked that the Selectmen's office communicate with the I.D.C. to see if they really want to be eleven members, is their attendance up, can they function. Mr. Murphy requested that they send in recommendations before the Bd. appointed this Commission.

Council on Aging Appointments

On a motion by Mr. Murphy, it was unanimously voted to reappoint Mary McAuliffe, Lillian Gould, William Clarke, George Marchand, Jr. and Louise Bishop and appoint Joan Arcand and Clarence Dane to the Council on Aging. Terms expire 3/1974

Hold - Other Appointments

Mr. Murphy asked that the Board wait until next week to act on other appointments and also asked that Mrs. Haines check with some of the applicants who have had their applications in the files for two years.

Schedule Meet. with C. Koulas Dir. Civil Defense

Mr. Markham stated that the Civil Defense appointments will be made next week and asked that the Board members review the copy of the Civil Defense Plan which was presented to the Board by Mr. Koulas, Director of Civil Defense for the Town of Chelmsford. Mr. Koulas has asked to meet with the Board prior to making these appointments. The Board agreed to meet with Mr. Koulas next week.

New Business (Gasoline)

Mr. Lovering informed the Board that he had met with the Purchasing Agent regarding the subject of gasoline for the Town of Chelmsford and the Town does have a problem. In addition to our concern about establishing a single distribution point in Town, a more immediate problem has developed in that we have received no bids concerning our requests for quotations on the next 12 months gasoline for the Town of Chelmsford. There has been sufficient amount of publicity in regard to obtaining gasoline. Other communities are having the same problem. Mr. Lovering stated that he has taken some action and asked the Board for their concurrance. Mr. Lovering stated that he has instructed the Purchasing

New Business (cont'd.)

Agent to attempt to contact the no bidders and see why they are not meeting the requirements, specifically, if the problem is multi-distribution, obtain bids from gasoline brokers (this is what the City of Boston has done on a 3 month emergency basis), contact the City of Boston Purchasing Agent, the Commonwealth of Mass. Purchasing Agent to see if there are guidelines available to us, and also discuss the matter with the two representatives from Lowell Tech who did the study on the centralization of gasoline storage for Chelmsford. Mr. Lovering stated that he hoped he could report back to the Board at their next meeting. Our present supplier said he would continue to supply the Town with gasoline but that is only a verbal agreement. In the meantime, the Board should encourage the Town Depts. to keep the usage of gasoline down. Also, we are now at the point where we must consider installing one 10,000 gallon tank at one location in town. There is no objection from the Police, Fire and Highway Depts. if one tank is installed at the Highway garage. The Police Dept. would need a supply to run the emergency generators. I have asked the Purchasing Agent to solicit bids on that one installation. He estimates the cost of this tank at $2,500.00. We will have to find the monies necessary to undertake this project. Mr. Lovering stated that the tank at the Police Station is a 3,000 gallon tank and if you make that part of the distribution program, you will spend 3¢ more per gallon. The trade off will have to be made on the basis of ecomonics rather than the service.

Mr. Murphy asked that the Selectmen remind the Dog Officer that they are still waiting for his answer on the Boatman's female dog and also for his schedule as the Dog Officer.

Mr. Murphy stated that he had received changes on the procedures for the Selectmen's meetings from Mr. Markham and hopefully the Board could vote on these procedures next week.

Mr. Murphy asked if the Board had received a reply from the Bldg. Insp. regarding the East Gate matter. No reply has been received to date.

Mr. Murphy presented the Board with a draft of his speech and charts he would present at the Redistricting hearing to be held April 25, 1973. Mr. Murphy recommended that Chelmsford be split only two ways with the first section having 100% voice in the choice of a representative which Chelmsford's population justifies. The second section would be placed in district 45 giving this section of Chelmsford 34% voice in the election and a meaningful representation. The Board congratulated Mr. Murphy on this presentation and gave their full support. On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to adopt the proposed changes as recommended by Mr. Murphy.

Mr. Lannan asked that the Highway Supt. be instructed to raise the storm drains located in the vicinity of North Rd. at Claude Road and Manwell Road to the surface level.

Mr. Lannan asked that the Highway Supt. furnish a status report on the relocation of Graniteville Road.

Mr. Lannan read a communication from John Clark, Project Director, EEA, informing the Selectmen that the Northern Middlesex Consortium of Towns (EEA) have been notified that they will receive under section 5 $256,356 for salaries and wages for the period from Mar. 15, 1973 to June 30, 1974. Under section 6, they will also receive $198,600 for salaries and wages and administration for the same period of time. The total amount allocated to both sections is approximately $455,000 to be expended according to the EEA Act and specific State Guidelines. Also, in the next few days, the EEA will be in the process of writing a phasedown plan that will be acceptable by the Office of Manpower Affairs. The emphasis will be on the absorption of as many participants into the Agencies as indicated in their

New Business (cont'd.)

budgets or to try to place them in other unsubsidized employment. All Consortia will be permitted to have replacement hiring for participants who are picked up by the hiring agent after April 18, 1973, under certain conditions. One of the guidelines state that if we are presently spending at a rate less than the original authorized level, we will be given the option to rehire. The decision to open hiring in the Consortium will be made within the framework of our phase-down requirement and dollar allocation. Mr. Lannan stated that under our present setup, we might be able to hire people and train them to use the new equipment purchased by the Highway Dept. Mr. Lovering asked that he receive a copy of this letter.

Mr. Markham informed that Board that he had met with the proper officials of the Telephone Company and decisions were made for them to correct the entire project on Fletcher Street.

Meeting Adjourned

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 11:35 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Jurors Drawn

Jurors drawn on April 27, 1973, by Thomas F. Markham, Jr.
1. Lawrence F. DeAngelis, 7 George Street - Lowell District Court.
2. Wayne A. King, 16 South Row Street - Cambridge Superior Court.
3. John H. Weed, 22 Kensington Drive - Cambridge Superior Court.

Regular Meeting of The Board of Selectmen held May 2, 1973.

Members present

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Murphy, Mr. Hart and Mr. Lannan. Mrs. Haines was also present. Mr. Markham called the meeting to order at 7:30 P.M.

Y.M.C.A. PROCLAMATION

On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to adopt a Proclamation for the Y.M.C.A. proclaiming the period of May 2 through May 24, 1972 as "Y" WEEKS IN CHELMSFORD and urge all citizens to join with us in giving our generous support to this project, recognizing that THE NEED WAS NEVER GREATER. This is in conjunction with the YMCA Building Fund.

Gasoline Supply for the Town of Chelmsford

Mr. Lovering reported to the Selectmen regarding the town gasoline supply. Mr. Olson was also present at this meeting. Mr. Lovering informed the Board that the Town went out for bids and received no response from the major oil companies. Then Mr. Olson went to suppliers, in order to protect the Town, and one has agreed to furnish the town gasoline at our existing facilities. He would supply gas and he would request a three year contract from Chelmsford. He is under contract to other municipalities. The gasoline situation is very, very severe, things are changing dramatically. Mr. Lovering stated that in his opinion, not to the benefit of the buyer. The price would be considerably higher than what we paid last year. Last year, we paid 22.4¢ per gallon, this year the price would be 29.9¢ per gallon. In order to protect the supplier, he would want a clause to indicate he may go up on the price or down according to the market. The type of gasoline would be 94 octane and payments to be made Net 10 days. In the event, the Town proceeded to obtain a single distribution point, this supplier would renegotiate by dropping theprice 1¢ per gallon. That represents the kind of arrangement that Chelmsford has a chance to embark upon. Another choice would be that the Town could go on a day to day basis that our current supplier will continue to service the town. We could also utilize gas stations in Chelmsford. We are at a decision making point as to whether we should consider this kind of an arrangement or some other kind of arrangement. Mr. Lannan

Gasoline Supply for the Town of Chelms (cont'd.)

stated that if not already, many cities and towns are going to fall into the same category. He stated that the Board should slow down before we enter into any agreement. We should ask the Dept. of Community Affairs what recourses of action the State may take in regard to the fuel shortage. Lowell and Lawrence should certainly give us some insight of what it is going to cost us for gasoline if we are going to get it. It is almost double what we paid last year. Mr. Lovering stated that we are going from 20 to 30 cents per gallon. Mr. Olson stated that as a municipality, we are excluded from paying Federal Taxes, not State taxes. Mr. Olson stated that he has talked with the State Purchasing Agent and the state is in the same situation. Mr. Lovering informed the Board that the State of Maine had one bidder, a 47% hike from last year. He asked the Board if they wished to try and protect the town at this particular point or did they wish to wait and see what developed in the future. Mr. Murphy asked how was the Town protected if they signed a contract. Mr. Lovering stated that you have a supplier. Mr. Lovering stated that he thought it would be necessary to make a decision soon, if we wait much longer, we will probably lose this supplier. Mr. Olson informed the Board that the pumps now belong to Gulf and he had a feeling that Gulf would not come back to get them. If these pumps out back are not going to be used, the Board should request Gulf to get them out of there. They are dangerous. A discussion followed regarding gasoline refineries. Mr. Lovering stated that we have to decide if we are going to enter into some kind of an arrangement or decide to see what happens on a week to week basis. Mr. Olson informed the Board that the present contract expired April 30, 1973. They will not continue to supply the Town any longer. Mr. Lannan stated that they are putting us in a position that if we don't sign, we won't have any gasoline. I don't think that the Gulf Oil Company would do this. Mr. Markham thought that Gulf would as the major suppliers are going to put pressure on everyone. Mr. Lannan felt that the Board should not commit themselves to a three year contract, the Board should have some time to think about making this decision. Mr. Lovering recommended that the Board think about this over the next week and take some final action one way or the other next week. If the Board wished to have the gasoline from a local level, we could look into it. I will leave information pertaining to this in the reading file for the Board's review.

Award Contract for Septic System - R.H. Greenwood & Sons

On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to award the contract for the Septic System for the Town Hall to R. H. Greenwood & Sons, the low bidder, in the amount of $2,482.00. The only other bid was received from Alpine Sewer Service in the amount of $3,040.00. The Purchasing Agent and the Director of the Bd. of Health recommended that the contract be awarded to R. H. Greenwood & Sons. Mr. Markham asked that the bid check be returned to the unsuccessful bidder.

Award Contract Am. Ambulance Service, Inc.

On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to award the ambulance contract for the Town of Chelmsford to American Ambulance Service, Inc. in the amount of $28,000.00 for the period July 1, 1973 through June 30, 1976.

Trans. Old Wooden Sprayer t Hist Comm.

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to transfer the ownership of the old wooden sprayer to the Chelmsford Historical Commission for the consideration of $1.00. This transfer was in reference to Article 17, item j of the 1973 Town Warrant.

Approve minutes

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to adopt the minutes of meetings held 3/6/73, 3/8/73, 3/14/73 and 3/21/73.

Chelms.-West. Town Line Study

Mr. Markham read a communication from the County Commissioners re: Chelmsford-Westford Town Line Study. The letter informed the Selectmen that their Eng. Dept. has completed the study of the Chelms.-Westford Town line and has established its correct position, in the vicinity of Pine Hill Road, Whippletree Rd. and Main Street. Also enclosed, is a print of said study showing the town line using the

Town Line Study (cont'd)

existing roadstones; the correct position of the town line; structure and their related property lines; and other pertinent data. The County Comm.'s office and their Engineering Dept. stands ready to meet with and assist the town officials of Chelmsford and Westford at any time in this matter. Mr. Markham informed the Board that Mr. House has inserted the names of the property owners involved on the plan. Mr. House, Assessor, informed the Board that the town line study has shifted a good portion of the houses on Whippletree Rd. into Westford. Chelmsford will lose the tax money as in many cases, the frontage is in Chelmsford and the Town of Chelms. will still have to provide the services. Westford will receive the bulk of the taxes on these homes and in some cases the entire amount. Mr. House suggested that the line be kept as it is now if Westford is willing. These people could petition the legislature to maintain the line where it was before the study was made. Mr. Markham suggested that the Bd. meet in the immediate future with all parties involved. Mr. House stated that one of the ironies is that the new water tower belonging to Westford is now in Chelmsford. Mr. Lannan informed the Board that some of these families involved have already received assessments from Westford. Mr. Patterson informed me that when the lines had been established, he felt that there would have to be a legislative act if the people involved decided to stay in Chelms. If these people petitioned this Board, I think the Bd. of Selectmen could ask the legislature to change the line. This has been done before. On a motion by Mr. Lannan seconded by Mr. Murphy, it was unanimously voted to hold a meeting with the residents involved, Rep. Freeman, Sen. MacKenzie, Mr. House, Assessor in the Selectmen's office on May 10, 1973 at 7:30 P.M. to discuss what action the Board should take. The Board agreed to post the plan of the town line study on the wall in the Selectmen's office so any interested parties could view this plan.

Request from Chelms. Water Districts - re: sub-surface installations

The Selectmen received a communication from Allan S. Margulies, Chelmsford Water District, requesting the assistance of the Selectmen in matters relating to the subsurface installation of telephone conduits, gas mains and other similar projects which the Selectmen's office must approve. Also, the submission of proposed plans for these installations to the Water District for coordination would minimize possible inadvertant service disruptions due to accidental damage during construction or repair and would make subsequent access to these facilities easier. Mr. Markham requested that a copy of this correspondence be given to the Highway Supt. with a recommendation from the Board that he would contact the water districts when a request to open up the streets was received.

Vote to grant Taxi Cab License to Mr. R. Tanner

Mr. Markham stated that we previously had a request from Mr. Richard Tanner for a Taxi Cab License which was not granted. We now have two taxi firms operating in Chelmsford, one out of the Center, one out of North. Mr. Tanner also presented the Board with a petition requesting that this license be granted. Mr. Tanner informed the Selectmen that the Chelmsford Cab Co. now listed operates out of Billerica. Mr. Tanner has been employed by the Chelmsford Cab Co. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to reconsider the request for a Taxi Cab License. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted that the Board indicate its willingness to grant the Taxi Cab License to Mr. Tanner assuming that all the requirements and regulations have been adhered to. Mr. Lannan asked Mr. Tanner if he was familiar with the Taxi Cab Licenses in the Town of Chelms. Mr. Tanner replied that he was. Mr. Tanner informed the Board that he would be located at 21 Central Square and would have two cabs and plans to expand the business in the future. Mr. Lannan stated that he was not against the issuance of this license. There are certain rules and regulations that were drawn up on Jan. 11, 1968, which are still in effect and I think the applicant will have to comply with these regulations before the license is issued. I want to know that this application is in order. Mr. Tanner told the Board that he would forward the required photographs. The Board agreed to write to Chelmsford Taxi Co. in order to clarify their location.

Civil Defense Plan - Discussion

The Selectmen met with Charles Koulas, Director of Civil Defense and Mr. Richard Wholey, Auxiliary Police to discuss a new disaster plan formulated for the Town of Chelmsford by the Civil Defense Committee. The Selectmen asked that additional names be placed on the plan and that the Civil Defense Committee consider using space at the new Police Station addition for their headquarters. They asked that when the plan was revised and completed that a copy of this be given to the Board members. The additional names to be added to the list were: Asst. Supt. of Schools, a member of the Bd. of Health, who lives in Chelmsford and also the Chairman of the School Committee. Mr. Koulas informed the Selectmen that they planed to work out of the North Fire State until such time as the East Fire Station is built. They were also considering the Auxiliary Police Station. Mr. Lannan said there should be a definite plan setup for a centrally located headquarters. Mr. Murphy stated that the Civil Defense should consider a simulated alert and see how the plan works.

Cons. Comm.- Request use of Town Coun re: Irving Realty Trust & Robert Johnansen

The Selectmen received two requests from the Conservation Commission to utilize the services of Town Counsel. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unanimously voted to grant the Cons. Comm. permission to contact Town Counsel regarding a request by the Cons. Comm. to Irving Realty Trust to file an application to fill above Beaver Brook. The second request to utilize the services of Town Counsel was in regard to Mr. Robert Johnansen filling a stream without appropriate filing under Chapter 131, Section 40. Mr. Lannan stated that they should not go to Town Counsel at this time. On a motion by Mr. Lannan seconded by Mr. Murphy, it was unanimously voted to have Mr. Balco immediately contact the Dept. of Natural Resources and request that they issue a Cease and Desist Order in accordance with Chapter 131, Section 40 of the General Laws. Then, if they don't abide by a State Cease and Desist Order, we will go to Town Counsel. Mr. Lovering stated that he had no objection to the motion, but activity in that area is moving rather quickly and he asked that Mr. Balco report back to the Board next week. Mr. Lannan stated that a telephone call could be made to the Dept. of Natural Resources and they will come and inspect the matter.

Bd. of Appea request use of Town Counsel

On a motion by Mr. Lovering, seconded by Mr. Murphy it was unanimously voted to grant permission to the Bd. of Appeals to contact Town Counsel regarding legal action pending against the Bd. of Appeals in the cases of Sergi and Fleischhacker-LeClair and an opinion pertaining to subdivision.

Atty. Geary request to meet with Bd. re: Vrouhas matter

Mr. Markham read a communication from Town Counsel re: Town of Chelmsford vs. Vrouhas et al status. Mr. McCarthy had enclosed photocopies of the Bill of Complaint and Subpoena. The bill was filed Apr. 14, 1973 and Judge Chmielinski granted a temporary restraining order as to the first prayer in the bill which order temporarily prohibits the respondents from filling any vacancies. Counsel for the parties must attend a further preliminary hearing on May 3, 1973, to lay down the ground rules for pleadings, trail arrangements, etc. The Selectmen were also in receipt of a communication from Atty. James Geary requesting to appear before the Board of Selectmen to review the action taken the past week at the Middlesex Superior Court regarding the Vrouhas matter. Mr. Lannan stated that the action in this case was an action that was taken by the Bldg. Insp., who is the enforcing officer regarding alleged violations of the Town By-Laws. It was turned over to Town Counsel by the Bldg. Insp. The Bd. of Selectmen took no action on this matter and I don't believe we should discuss this action with Mr. Geary. He should get in touch with Town Counsel. There should be no discussions with this Bd. while the matter is in litigation. The Board agreed to notify Mr. Geary that he should discuss the Vrouhas matter directly with Clement McCarthy, Town Counsel, inasmuch as the Bill of Complaint has been filed with the Middlesex Superior Court.

The Selectmen received a communication from the Industrial Development Commission stating they unanimously voted to recommend the creation of an Industrial Development Financing Authority under Chapter 40D of the General Laws of Mass. Mr. Lovering stated that due to the progress at the Town Meeting this past week, it would seem doubtful that an article could be included in the present Town Meeting regarding this authority. He recommended that this be put on a list for a Special Town Meeting. Mr. Murphy stated that he doubted that a quorum could be obtained for a Special Town Meeting. The Board agreed to wait until the Finance Committee sends their committee's recommendations in writing and also requested that Town Counsel be asked for an opinion on Chapter 40D, before they made any decisions. Mr. Markham asked that the Selectmen communicate back to the I.D.C. and inform them that the Board has placed their recommendations on file pending receipt of further correspondence for a Special Town Meeting in the future.

Industrial Development Commission recommends I.D.F.A. under Chapter 40D

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to setup a hearing on the application of Aetna Cartage Company, Wilson Freight, for a gasoline storage license on Progress Avenue. Mrs. Haines informed Mr. Lovering that the applicant is required to notify the abutters.

Vote to setup hearing re: Aetna Cartage application

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to obtain a report from the Bldg. Insp. and a confidential report from the Police Dept. pertaining to Princeton Auto Sales, Eugene Lohnes, and ask Mr. Lohnes to come in and meet with the Board to discuss his application for an increase in used cars from 15 to 30. Mr. Lohnes will be asked to meet with the Bd. when the reports from the Bldg. Insp. and Police Dept. are received.

Request from Princeton Auto Sales to increase used car license

Mr. Markham read a communication received from Donald J. Madden, Exec. Sec., Flood Relief Board in reply to their letters dated Mar. 30 and April 12, 1973. He stated that the Flood Relief Board is in receipt of the report of Fay, Spofford and Thorndike and the Flood Relief Board will consider request for reimbursement when they are presented. Mr. Markham stated that this Board had originally asked what in the Fay, Spofford and Thorndike Report would the Town be reimbursed for. Mr. Hart stated that we had a meeting with the Flood Relief Board and they double talk you to death. We continue to find that we are not going to get any definite guidelines as to what they are going to reimburse. We should have the Crystal Lake Committee come and discuss what we want as a committee to be reimbursed or look into alternate methods we could take. Mr. Hart stated that the Crystal Lake Committee met before the Town Meeting. The Board agreed to Mr. Lannan's suggestion that we send a voucher to the Flood Relief Board and ask what will be reimbursed. Mr. Hart stated that he made a statement at the Town Meeting that the Selectmen would not spend any of the money unless we realized that it would be reimbursed by the State. The Townspeople voted $1,000,000 for the Crystal Lake project. Mr. Freeman was the one who handcarried the document to the State and he was going to get the information to us. The Board agreed to send the invoice from Fay, Spofford & Thorndike for their report and enclose a copy of page 12 of the Report of Construction necessary to Restore Crystal Lake to Mr. Madden. They also agreed to request Mr. Madden to advise the Bd. of Selectmen as to whether or not the Town will be reimbursed on the seven (7) items listed. A copy of this letter would be sent to the Crystal Lake Committee.

Crystal Lake - Flood Relief Bd. in receipt of Fay, Spofford & Thorndike Report

Mr. Markham read a communication from the Planning Board informing the Selectmen that the Plan. Bd. released the original bond covering Overlook Drive in Dec., 1963. Mr. Markham stated that the section that we are talking about this year is probably not the same section of the road. He asked that a clarification be obtained from the Planning Board.

Request information from Plan. Bd. re: Overlook Dr. bond

Motion - release of bond money

Mr. Markham read a communication from the Planning Board which stated that they did not release any bond money until the street had been approved by the Highway Supt. Mr. Murphy moved that the Highway Superintendent be directed not to approve any streets for the purpose of release of bond money to contractors, until he has filed a written report of his inspection with the Board of Selectmen and has received their written approval to release his inspection report to the Planning Board. Mr. Lovering seconded this motion. The motion passed unanimously.

Motion - Town Counsel to prepare By-Law

Mr. Murphy moved that the Town Counsel prepare an article for Town Meeting approval amending the Town By-Laws to prohibit the release of bond money for streets until both the Town Meeting has accepted the streets and the necessary corrections are completed. Mr. Lannan seconded this motion. The motion passed unanimously.

N.Y.C.

Mr. Markham read a communication from Lawrence W. Rogers, Regional Manpower Adm. in response to the Selectmen's letter of Mar. 20, 1973, to President Nixon concerning the continuation of the Neighborhood Youth Corps summer program administered by the Dept. of Labor. The decision of whether or not a summer program funded by EEA monies is operated will be made by local officials based on local priorities. For more specific information, the Selectmen were asked to contact Mrs. Mary Newman, Secretary for Manpower Affairs. Mr. Lannan stated that we just have sufficient money to support the people we now have. The Board agreed to forward this communication to John Clark, EEA Director, and have him ask Mrs. Newman if they can comply with the suggestion of the U.S. Dept. of Labor.

Preliminary Rpt. from Pol. Dept. - Graniteville Rd.

The Selectmen received a preliminary report from the Police Dept. regarding the traffic conditions on Graniteville Rd. The State Dept. of Public Works requires a 12 hour traffic count, record of automobile accidents to be submitted with any requests to exclude heavy commercial vehicles from travelling on Graniteville Rd. Mr. Markham stated that the Police Dept. have encountered problems attempting to get a 12 hour traffic count. The vehicles have found an alternate route. The Board was also in receipt of a letter from the School Committee supporting their efforts to exclude heavy truck traffic on Graniteville Rd. The Police Dept. will continue surveillance on Graniteville Rd. and as soon as all the conditions required are met, we can present this information to the State. We are also awaiting the alternate route from the Police Dept.

Rotary Club's recommendations to use Belvidere Sch

The Selectmen received a communication from the Chelms. Rotary Club regarding use of the Belevidere School for municipal purposes. The Board agreed to inform the Rotary members that there was a meeting a year ago to discuss use of the Belvidere School and when the Board viewed the property, there was a collective determination that the property would not be suitable for municipal purposes.

Req. from Mr. Casey - No. Chelms.

Mr. Markham read a communication from Mr. John Casey, 6 Weston Ave., No. Chelms., informing the Selectmen that when Hinckley Homes put in water pipes for new home construction, they tore up the lawn in front of his home. At that time, a promise was made to repair the lawn when the work was done. To date this has not been accomplished. Mr. Casey asked that the Selectmen request Hinckley Homes to complete this work. The Board agreed to ask the Bldg. Insp. to identify whether this is Town land and if it is, Mrs. Haines will bring it to the Board's attention. If it is privately owned land, Mr. Casey must initiate civil action himself.

Opinion - re Warrant Art. 17

Mr. Markham read an opinion from Town Counsel re: Warrant Article 17. In accordance with your request of Apr. 6, 1973, we submit the following opinion regarding the solutions proposed in your letter. 1. Sp. Town Meeting. Appropriations from the Stabilization Fund may be made only at the Annual Town Meeting and therefore not at a Special Town Meeting. 1. Transfer Funds from Reserve Fund. Transfers from the Reserve Fund may be made with the approval of the Fin. Committee. Such transfer may legally be used for items such as Highway equipment. 3. Making a Motion to Transfer From the Stabilization Fund The Funds Necessary to Purchase

Opinion (continued)

Equipment For Other Depts. The Stabilization Fund may be appropriated, by a two thirds vote, for any purpose for which the Town would be authorized to borrow money under section 7 or 8 of Chap. 44 of the Gen. Laws. Sect. 7 (9) of Chap.44 of the Gen. Laws allows a Town to borrow money for "the cost of additional departmental equipment" which by implication authorizes appropriations from the Stabilization Fund for departmental equipment. Mr. Markham stated that the Board has already taken care of this matter.

Req. use of M,C.T.S. ball fields for Little League

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted that Mr. Markham meet with the County Comm. to request use of the ball parks at the M.C.T.S. for the Little League. Mr. Markham and Mr. O'Riordan, Little League, met with the Middlesex County Comm. and they granted permission for the Little League to use the facilities providing that the Little League be responsible for upgrading and maintaining the fields and at the end of the season the fields are left in proper condition. The Board agreed to communicate with the County Comm. and thank them for honoring this request. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to communicate with the County Comm. and inform them of the current plans of the Board to be presented by Mr. Lovering and also of the tour scheduled for May 6, 1973.

Appointments

Mr. Murphy asked that as committees are appointed, that they be reminded that 1. All meeting must be posted as required by law and 2. All committees should meet on a regular basis in order to accomplish their work.

On a motion by Mr. Murphy, it was unan. voted to reappoint John Alden to the Historical Society.

On a motion by Mr. Murphy, it was unan. voted to reappoint Harold Higgins, Allan Davidson, Philip Stratos, James Harrington to the Industrial Development Commission. All terms expire in 1976. On a motion by Mr. Hart, it was unan. voted to appoint Richard Lynch to the Industrial Develop. Comm., term to expire in 1975. On a motion by Mr. Murphy, it was unan. voted to appoint David McLachlan to the Industrial Develop. Comm., term to expire in 1974.

On a motion by Mr. Murphy, it was unan. voted to reappoint George Brown, George Dixon, William Edge, Charles Koulas, Walter Hedlund, Robert Olson, Frederick Reid, and appoint Walter Edwards to the Civil Defense Committee. All terms expire-1974.

On a motion by Mr. Murphy, it was unan. voted to reappoint Harry Foster, Theresa McCaul, Thelma Stallard, H. Francis Wiggin, and appoint Jane Cryan, John Cryan, Rita Geoffroy, Virginia Foster, Mary McAuliffe and Bernice O'Neil to the Community Action Advisory Committee. On a motion by Mr. Hart, it was unan. voted to appoint Mr. Lovering as the Board of Selectmen's representative to the Community Action Advisory Committee. All terms expire in 1974.

A hold was placed on the appointments to be made to the Drug Abuse Committee but Mr. Lannan moved and it was voted unanimously to appoint Mr. Murphy as the Bd. of Selectmen's representative on this Committee.

A hold was placed on appointments to the Dog Leash Committee, as Mr. Hart informed the Board that this committee came down to one person. The Board agreed to contact Mr. Siedel to see if the present members were interested in continuing and also notify the public at large to see if they want to assist the Town in getting the job done. Mr. Lannan asked that this committee also explore the possibility of using the land in Billerica owned by the County. Mr. Markham stated that they are only providing the land, we would have to build a separate bldg. Mr. Lannan stated that we have $2,000 for plans and specifications that we could probably save. Mr. Murphy stated that now that the articles have passed, the Town should better implement the leash law. He also stated that he would not like to see the committee's plans go down the drain.

The Board agreed to hold on making other appointments until their next meeting. Appointments will be the first item on the agenda.

Motion re: request Rep. to introduce amendment to Redistricting Bill

Mr. Murphy informed the Board that he had attended a hearing of the House Committee on Redistricting, presented the Board's plan and gave them copies of this plan. Upon the completion of the presentation, Mr. Murphy asked them what would happen. They stated that if they had any questions, they would call the Chelms. Board. Mr. Murphy stated that we should take positive action. On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted that the Board of Selectmen officially ask Rep. Freeman to introduce an amendment to the House of Representatives Redistricting Bill, Senate 1604, detailing our recommended changes to the plan and further that we solicit written comments and public support for our plan from the present Lowell Representatives in the Massachusetts House of Representatives. Mr. Murphy stated that Rep. Freeman was at the hearing and did say that he was going to be in favor of the plan. This puts us officially on record. The Board agreed to send copies of Mr. Murphy's plan for Redistricting to the Lowell Reps. and ask for their written comments and views on this plan. To Mr. Murphy's knowledge, none of the Lowell area reps. were present at this hearing.

Memorial Day Parade

In answer to Mr. Lovering, Mr. Lannan informed the Board that he was talking to a legion member and they were definitely going to change the route of the Memorial Day Parade. The route will be about 2 miles long.

No response re-Master Pla

Mr. Lovering was informed that the Selectmen have not received any communication from the Planning Board regarding the Master Plan.

New Business

On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted in accordance with Article 34, that the Board of Selectmen now accept applications and appoint on May 23rd, 1973, a five member Chelmsford Kennel Bldg. Committee, one member of which to be the Dog Officer.

On a motion by Mr. Murphy seconded by Mr. Lannan, it was unan. voted that the Bd. of Selectmen amend Article 61 to provide for "staggered" appointments of public members to the Capital Planning and Budgeting Committee.

Mr. Murphy moved that the Highway Supt. be directed to take immediate action to repair pothole conditions on all major roads: ie, Route 4, 27, 110, 129, Concord Rd., Steadman Street, Riverneck Rd., Turnpike Rd., Old Westford Rd., Westford St., Graniteville Rd. and Main Street. Mr. Lannan commented that the Highway Dept. equipment and personnel are being tied up with the paper drive. It is a fine idea but we don't have the personnel. The paper drive is an added expense and takes the men away from the work to be done on the roads. Mr. Murphy withdrew his motion and the Board agreed to request the Highway Supt. to repair these potholes at the earliest possible date. Mr. Lannan stated that we are increasing the services but we haven't increased the size of the Highway Dept. Mr. Murphy referred to the Town of Arlington where they have dumpsters where the papers are left for recycling.

Mr. Hart stated that he had received a telephone call from a Mr. Barrett, 6 Subway Ave, regarding traffic encroaching on his property. He asked that the Highway Supt. investigate this matter to see if the cars are using the road or Mr. Barrett's property.

Mr. Hart informed the Board that Mrs. Conners, 26 Highland Ave., No. Chelms. requested that a No Parking sign, which had been removed, be replaced on said street. The Board agreed to request that the Highway Dept. replace this sign.

New Business (continued)

Mr. Hart requested that the Highway Supt. look into grading the parking lot in the rear of the Town Hall to provide better parking facilities. It is becoming more and more difficult to park in the area of the center.

Mr. Hart referred to an article which appeared in the Lowell Sun stating that the Selectmen were opposed to the longevity clause for the Police. Mr. Hart stated that the Selectmen sponsered that article and that they are in favor of it. Mr. Lannan referred to the meeting of March 5, 1973, when all the contracts were signed and the members of the Press were present. The longevity clause was part of the contract that the Board members signed.

Mr. Hart informed the Board of complaints he had received about the Youth Center. He asked the Press not to print his statements. It seems as though some of the functions that are going on at the Center are not being operated the way they should be. Kids tell their parents that the dances are chaperoned and then they go outside into cars with older people. Dances are being run with people in the age bracket of 25 to 30 or in that vicinity. Mr. Hart asked that we ask the people who are in charge of the Center to inform us of any problems which may exist. The Board agreed to request the Chelms. Youth Center Committee to meet with them to discuss any problems which they may have. Mr. Murphy stated that he has spoken to Hank Foster and the Youth Center is requesting additional people. He can't solve this problem until he gets some more people. Mr. Hart stated that if we do not have people to supervise the Center, the Center should not run. Mr. Murphy stated that as far as he knew, the dances were supervised. He also had a communication that they raised money by holding the dance and there were no problems. Mr. Hart stated that this was the type of information he wanted to hear.

On a motion by Mr. Lannan seconded by Mr. Lovering, it was unanimously voted to instruct the Adm. Assistant to take the necessary steps to get the Insurance Coverage that was voted under Article 44. (Ins. Indemnifying the Selectmen). Mr. Lannan agreed to amend this motion to include that an attempt be made to find competitive bids. Mr. Markham stated that this would be in the best interest of the Town to try and get the best possible coverage and cost, Mr. Lannan stated that there was only one company that provided this coverage according to the Ins. Advisory Committee. Mr. Lannan informed Mr. Murphy that Mr. Welch, Mr. Fiske and Mr. Johnson are the members of the Ins. Adv. Committee. They are all in the insurance business. The Ins. Advisory Committee splits the insurance with all the insurance agencies in the Town of Chelmsford operating as a business for a period of 5 years. Mr. Murphy stated that this somehow colors the advice that they give.

On a motion by Mr. Lannan seconded by Mr. Lovering, it was unan. voted to have the Adm. Assist instruct the Purchasing Agent to take the necessary steps under Article 47 as amended. (School Buses Entering Ahead) Mr. Lannan agreed to include Mr. Markham's amendment to also ask the Purchasing Agent for a status report on the Byam School sign.

Mr. Lannan asked that the Highway Supt. submit a status report regarding Twiss Road (encroachment on private property) and Proctor Road (Bentas Property).

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unan. voted to communicate with Lt. Governor Donald Dwight informing him that the Bd. of Selectmen were present at the M.C.S.A. Dinner Meeting in Wayland on Apr. 25, 1973, and that we were encouraged by his support of full assessment for property evaluation and that we look forward to his support in the future.

Mr. Markham requested that the Highway Supt. provide fill for the roadway leading into the Little League Field on Chelmsford Street. He also asked if the Highway

Supt. could expand the area at the Little League Field for parking. It is an extremely dangerous situation.

New Business (continued)

Mr. Markham asked that the Highway Supt. take corrective action to alleviate drainage problems in the vicinity of Chelmsford Street at Dalton Rd., Evergreen Street, Wildwood Street and Watt Terrace. If necessary, the Highway Supt. should contact the State Dept. of Public Works and inform them of these problems and request their assistance in this matter.

Mr. Markham asked that the Board consider Article 55 and some thoughts on this article before it is voted on at the Town Meeting. Mr. Markham suggested that the Annual Town Election be left as it now is, the first Monday in March or the first Saturday in March, and the Town Meeting start the first Monday in April in order to give the newly elected officials an opportunity to be better prepared for the Town Meeting. If this article is passed as it is presented, we could find ourselves going into late June or early July with the Town Meetings.

Meeting Adjourned

On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 11:15 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Regular Meeting of the Board of Selectmen held May 8, 1973.

Members present

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Murphy, Mr. Hart and Mr. Lannan. Mrs. Haines was also present. Mr. Markham called the meeting to order at 7:30 P.M.

Hold on Appointments

The Board agreed to hold on appointments to be made to the Town Forest Committee, the Kennel Building Committee (appts. to be made in two weeks), Alternate Rep. to Share, Honor Roll Committee, Lexington Bicentennial Committee, Committee To Update the Town History, Youth Center Advisory Committee, Insurance Advisory Committee. Mr. Lannan requested that a letter be sent to the Chairman of the Committee to Update the Town History asking for a status report. The Town appropriated $5,000 or $7,000 some 5 years ago. We haven't heard from that Committee since then.

Appointments

On a motion by Mr. Murphy, it was unanimously voted to appoint Donald Butler as a rep. to SHARE.

On a motion by Mr. Lannan, it was unanimously voted to appoint Russell Kerr as a rep. to SHARE.

On a motion by Mr. Murphy, it was unanimously voted to reappoint Richard Codling, Dr. Ethel Kamien, Ina Greenblatt, Pricilla Hinckley, Diane Lewis, and Dr. Clara Refson and appoint Donald R. Smith, Dr. George Carr and Mary M. Wadman.

On a motion by Mr. Murphy, it was unan. voted to reappoint John Griffin, Charles Mitsakos, Gerald Silver, Robert Stallard and appoint John Balco, Thomas Dougherty and Carol Stark to the Home Rule Advisory Committee.

On a motion by Mr. Lannan, it was unan. voted to appoint Thomas F. Markham, Jr., as the Rep. of the Bd. of Selectmen to the Ration Board. On a motion by Mr. Hart, it was unan. voted to reappoint Charles Koulas (Rep. Civil Defense) and Paul MacMillan (Rep. Welfare Dept.) to the Ration Board.

On a motion by Mr. Murphy, it was unan. voted to reappoint William Dempster, Paul Murphy, Haworth Neild, Harry Ayotte and Alfred Woods and appoint Sherburne Appleton and Robert Charpentier to the Recreation Commission.

Appointments (continued)

On a motion by Mr. Lannan, it was unan. voted to reappoint William Fitzpatrick, Richard Lahue, James Gifford, Raymond Day and Donald House and appoint Walter Hedlund to the Town Celebration Committee.

Regarding appointments to be made to the Anti-Litter Committee, Mr. Murphy asked if this committee should be a Town Committee. They have their own meetings. They tend to represent individual groups and garden clubs. They could continue to operate but not under the auspices of the Selectmen. Mr. Markham stated that this Committee was established at their request. Mr. Lannan stated that they come to the Selectmen for various things. Mr. Hart moved to reappoint Nancy Bue, David Lewis, F. Clinton Vincent, Janet Knight, Diane Boisvert, Paula Hammer, Paula Blagg, Elizabeth Twombly, Lorraine Shea, Lois Manty, Richard Codling and Eleanor Mulvey to the Chelms. Anti-Litter Committee. Mr. Lannan seconded this motion. The motion passed, three in favor, Mr. Hart, Mr. Lannan, Mr. Markham, two opposed, Mr. Murphy and Mr. Lovering. Mr. Murphy felt that this committee could function well outside of the Bd. of Selectmen.

On a motion by Mr. Hart, it was unan. voted to reappoint Thomas Eck, Robert Hall, Paul Hart, Richard Ring, Paul Krenitsky, Paul Murphy and Robert McManimon to the Committee to Study Lighting of Certain Playground Areas.

On a motion by Mr. Murphy, it was unan. voted to reappoint Joseph Gutwein, Peter Dulchinos, Richard Codling, Mary Bradley, Reginald Larkin and Albert Robitaille to the Committee to Study Liquid Waste Disposal Problems. There is one opening remaining on this Committee.

Mr. Lannan moved to appoint Mr. Lovering to the Open Campus Study Committee. Mr. Murphy moved to appoint Mr. Hart to this Committee. Mr. Lovering was appointed to the Open Campus Study Committee. Mr. Lannan, Mr. Hart, Mr. Markham in favor of Mr. Lovering, Mr. Murphy, in favor of Mr. Hart, Mr. Lovering abstained.

On a motion by Mr. Murphy, it was unan. voted to reappoint George Parkhurst, John Alden, Vincent Kehoe, Walter Hedlund and J. Perry Richardson to the Chelms. Revolutionary War Bicentennial Celebration Commission.

On a motion by Mr. Lovering, it was unan. voted to reappoint Mr. Hart and appoint Mr. Lannan to serve as the Selectmen's Representatives to the Crystal Lake Restoration Committee. The Board agreed to hold on other appointments until they received a communication stating who wished to remain on the committee.

The Board felt that the West Fire Station Bldg. Committee was no longer needed as the building has been completed.

On a motion by Mr. Murphy, it was unan. voted to reappoint Edward Quinn and Frederick Reid and appoint Walter Hedlund, George Dixon and Edward Hoyt to the East Chelms. Fire Station Bldg. Committee.

On a motion by Mr. Murphy, it was unan. voted to reappoint Dr. Howard Moore, Grace Pettee, [illegible] Elizabeth McCarthy and Thomas St.Germain to the Library Needs Committee. On a motion by Mr. Lovering, it was unan. voted to reappoint Thomas Thorstensen to the Library Needs Committee.

On a motion by Mr. Lannan, it was unan. voted to appoint Mary McAuliffe as a representative to the 4-C's Committee of Greater Lowell.

In regard to the previous motion by Mr. Murphy re: CATV Advisory Committee, Mr. Lovering nominated Philip J. Swissler, Jr., Mr. Murphy nominated J. Alan Moyer, Harold Kriven, Ford D. Cavallari, Richard Arcand, Mary McNally, Robert P. Sullivan. The Board voted unan. to appoint the above to the CATV Advisory Committee.

Cable TV (continued)

On a motion by Mr. Murphy seconded by Mr. Lannan, it was unan. voted to appoint J. Allan Moyer as designated Chairman ProTem and ask that when the CATV Adv. Committee organizes and appoints a regular Chairman that they meet with the Bd. of Selectmen to see what their charge is. Mr. Murphy asked that a copy of the regulations on licensing be made available to the CATV Advisory Committee and also inform them that the Wall St. Journal is running a series on CATV which contains useful data.

On a motion by Mr. Murphy, it was unan. voted to appoint James Lannan to the Memorial Day Parade Committee.

Minutes adopted 3/28/73

On a motion by Mr. Lovering seconded by Mr. Lannan, it was unan. voted to adopt the minutes of the meeting held March 28, 1973.

Request approved N.A.F.C.A.

On a motion by Mr. Lovering seconded by Mr. Murphy it was unan. voted to approve the request of the No. American Family Campers Assoc. to distribute coffee and doughnuts at the Rte. 3 rest area in Chelms. subject to approval by the Dept. of Public Wks

Request from Cons. Comm to use Town Counsel

The Selectmen rec'd. a comm. from the Cons. Comm. requesting the advice and assistance of Town Counsel in a matter relative to Chap. 131 Sect. 40, The Wetlands Protection Act. The Cons. Comm. notified Mr. Swanton of a possible violation of the law. In a telephone conversation with Mr. Swanton, he indicated that it was his intention to fill the area in question without any consideration as to a possible violation of the act. Mr. Lannan stated that they are asking Town Counsel to make a determination to see if these people are in violation. The violation has to be determined by an enforcing officer, either the Bldg. Insp. or the Dept. of Nat. Resource Mr. Lannan suggested that the Cons. Comm. be instructed to get in touch with the Dept. of Natural Resources and save the Town the legal fees. Mr. Lovering stated that the letter goes on to indicate that they are asking for Town Counsel's assistance to help them reach a reasonable solution to this problem. His interpretation was that they are on the verge of some kind of a settlement and that is why they are asking for assistance from Town Counsel. Mr. Lannan stated that he would have no objections if this would help the Town. This is about the 4th time they have asked for information regarding Chap. 131. On a motion by Mr. Lovering seconded by Mr. Lannan, it was unan. voted to ask the Cons. Comm. to clarify whether or not they are asking for advice or are they in the process of a settlement.

Contact Soil Cons. Service re: Brook in Central Square

A comm. was read from the Hghy. Supt. informing the Selectmen of the brook behind Care Cleaners in Central Sq. Mr. Rondeau reported that he has checked the area and found no obstructions in the drainage pipe running under Cushing Place. He also conferred with the Civil Defense Director and he suggested that the Bd. write to the Soil Conservation Service in Acton requesting them to make a study of the area. The Board agreed to contact the Soil Conservation Service and also supply them with the brook study which was previously made and cost the Town $5,000. Mr. Lannan stated that this study might be a help in determining the needs of the brook.

The Selectmen rec'd. a communication from the Highway Supt. informing them that there was a cave-in at the intersection of Boston Rd. and Mill Rd. An existing 30" steel pipe had deteriorated and caved in. This drainage will have to be replaced and will cost approx. $870.00. Due to the Clean-up this week, the Hghy. Dept. will commence with this project next week. Mr. Markham stated that this is one kind of an emergency that the Town faces from time to time and we do not have the money in the budget for these emergencies.

Report of Cave-In - Boston Rd.- Mill Road

The Highway Supt. reported the following for the newspaper pickup for the week of April 23 through April 27, 1973: No. of Tons 25.3825 @ $8.00 Total Amt. $203.06, Total Wages, $885.60. The total amt. saved on Incineration Fees is as follows: 25.3825 tons @ $6.00 per ton - $152.30. A discussion was held regarding other methods of picking up the newspapers. The Board will meet with the Environmental Advisory Committee next week to discuss other methods of collecting the newspapers. The Board agreed to ask Mrs. Haines and the Hghy. Supt. to put together a summary of the newspaper pickup reports from the inception of the program.

Recycling Rpt.

A communication was received from the Hghy. Supt. estimating the cost of the work to be done on Gage Lane at $4 470. The Chelms. Hghy. Dept. did some repairs to this road on a temporary basis. Mr. Markham suggested that we communicate this information to the Westford Bd. of Selectmen and also to the residents of the area and he would follow this up with the Westford Board of Selectmen to discuss this estimate. Mr. Markham stated that we have a copy of the deed which was given to the residents of the area by the Town of Westford. This gives them the use of Gage Lane. Before any of this work can be done, it will require a vote of the Westford Bd. of Selectmen and also their approval. Mr. Hart stated that he was opposed to doing this work. On a motion by Mr. Hart seconded by Mr. Murphy, it was unan. voted that the Town of Chelms. expend no monies on this road. The Town of Chelms. did do some emergency work. Mr. Hart stated that he did not think that the Town of Chelms. had the legal right to do work on this road. The Bd. agreed to communicate this vote to the Westford Bd. of Selectmen and the area residents.

Gage Lane - Chelms. will not expend money to repair Road

Mr. Murphy stated that he found the Dog Officer's report re: Mrs. Brennan, Highland Avenue, totally unacceptable. Mr. Murphy asked that Mrs. Brennan be contacted to see if she was satisfied with the Dog Officer's action. A discussion followed regarding the Dog Officer's schedule.

Report from Dog Officer

The Selectmen received a communication from the Fire Dept. to communicate with the No. Chelms. Water District to solve the problem of an inadequate flow of water found to exist at Tyngsboro Rd. and Wood St. Recommended is a new 12 inch main to be connected to the existing main at two points. The Fire Dept. letter indicated that the first connection has been made but there is a hesitancy on the part of the Water District to make the other connection. The commissioners feel that the one connection is adequate. The Board agreed to request the Water Commissioners to make the second connection that is required. Mr. Markham stated that the State is presently resurfacing the road and the State has a regulation which will not allow the road to be dug up after it is resurfaced for five years. Mr. Hart stated that the contractor who is resurfacing Rte. 3A is willing to wait until the second main is connected.

Request Water District to make 2nd connection

The Selectmen received a communication from John T. Gaffney, Esquire, on behalf of Palmont Corp. d/b/a Zesty Pizza, stating that he has received the Selectmen's letter dated Apr. 23, 1973. He also stated that the formal request for a hearing had been denied by the Board without any reason being stated. The action of the Board is depriving Palmont Corp. of a hearing and of not stating any reasons for depriving them of a hearing although over eleven hundred people living in Chelms. have indicated an interest in eating on the premises is a violation of due process, civil rights, and is discriminatory, not only to the Palmont Corporation

Letter from Atty. Gaffney - Zesty Pizza

Letter from Atty. Gaffney

but also to those 1100 people who support Zesty Pizza and who elect the Selectmen of Chelms. It is inconceivable that any responsible licensing authority would permit such an arbitrary and capricious act to stand on the record without attempting to remedy such an injustice. Mr. Lannan moved that Mr. Gaffney's letter be placed on file. Mr. Hart seconded this motion. Mr. Lannan stated that Mr. Gaffney can do what he pleases. Mr. Markham stated that there was a hearing held last fall and the request was denied by a 4-1 vote. The majority of the Board voted in the interest of the common good. Mr. Markham stated that under this type of a licensing procedure, a hearing is not required, it is not mandatory. I have supported their requests for a rehearing. Evidently in their opinion, they have new information to present to the Board in regard to the issuance of a Common Victualer License. I would support a rehearing based on any new information. Mr. Markham asked that the Board make a decision at this time. Mr. Lannan's motion passed, three in favor Mr. Lannan, Mr. Hart Mr. Murphy. Mr. Markham Mr. Lovering opposed.

Report on gasoline for the Town

Mr. Lovering reported to the Board new developments regarding gasoline for the Town. Since the last report, there now appears that we should receive one or two additional proposals for the Town. It appears that the price that we will receive as a bid will be pretty much in line with the increases that were reported to you last week. 7¢ or so per gallon increase. One major oil company will bid to supply the Town for a one year period. There is a rather significant difference from last week's report. We should have the flexibility of going for one year if we choose. Another supplier a local gas station, has indicated that it will supply gas on call if we run out in the interim. The price would be much higher. Mr. Lovering suggested that the Bd. instruct the Purchasing Agent to rebid the requirements so that we conform with the Gen. Laws and open the bids in seven days. We can make a judgment at that time. In the meantime, I would like the authority to go to a local station to fill our needs. The local gas station is willing to come and take a reading and measure what our current supply is if we choose. On a motion by Mr. Lovering seconded by Mr. Lannan it was unan. voted to rebid for gasoline for the Town and open the bids within 7 days.

New Business

On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to approve the Standing Rules for the Bd. of Selectmen. Mr. Murphy also stated that under the rules anyone may speak on an agenda item but he did not think it would be appropriate to open new business to the public. Mr. Markham thanked Mr. Murphy and his committee for their efforts and research in coming up with the standing rules.

Mr. Murphy withdrew a motion to meet with the School Committee with respect to collective bargaining for Town employees. Mr. Lannan stated that if we do this we may be accussed of collusion. We have three separate units. We would have a grievance called against the Town for Collective Bargaining. Mr. Ames speech puts the Selectmen in the position where now the benefits given to the School Dept. employees could come up with the other town depts. Mr. Murphy stated that we should know what the differences are. Mr. Lovering stated that we should know the difference as a matter of preparation. Mr. Lovering stated that the Selectmen should meet with the Fin. Committee and the School Committee to make improvements regarding the Town Meeting. We as a Board should develop a plan to run next year's Town meeting in a more orgainzed fashion. The Board agreed to direct the Adm. Assistant to meet with the school officials to discuss the fringe benefits for the school dept. employees and prepare a comparison of the fringe benefits in the various labor contracts with town employees.

On a motion by Mr. Murphy seconded by Mr. Hart, it was unan. voted in conjunction with Article 49 of the Annual Town Meeting, that the Bd. of Selectmen advertise openings and appoint on June 4th a seven member Sidewalk/Highway Study Committee, one member of which to be the Hghy. Supt. Such committee to develop a written plan for sidewalk installation/highway repair for the elimination of safety hazards for vote of the 1974 Annual Town Meeting.

New Business

Mr. Lannan moved that the Bd. proceed to purchase the equipment voted under Art. 18 and 19. Mr. Murphy seconded this motion. Mr. Markham stated that he was awaiting a report from the Highway Supt. regarding this equipment and no reply has been received to date. The Highway Dept.'s request for addt'l. personnel was not honored by the Finance Committee. Mr. Murphy moved to table this motion until the Board received the recommendations of the Highway Supt. in light of the Town Meeting vote. Mr. Lannan stated that the townspeople voted to purchase this equipment. What right do we have to go against the vote of the people? The equipment is needed. Mr. Hart stated that the next year, a job description could be added for the operators of this equipment. Mr. Lovering seconded Mr. Murphy's motion to table. Mr. Murphy, Mr. Markham, Mr. Lovering voted in favor of tabling the motion. Mr. Hart, Mr. Lannan opposed.

Mr. Lannan asked that the Adm. Assistant request information from the Police Chief to see if the members of the permanent police force received vacation benefits due them since Jan. 1, 1970 in accordance with Article 20.

Mr. Lannan asked that the Recreation Commission be contacted to see if they are going to care for the recreational equipment donated to the Town by P.A.R.C. under Article 24.

On a motion by Mr. Lannan seconded by Mr. Hart, it was unan. voted to ask the Highway Supt. and the Town Engineer to prepare specifications for sidewalk construction. Also, Mr. Olson should sit with them and prepare the specifications for bids. There is a lot of work that the Highway Supt. and Town Engineer can take care of.

The Board agreed to Mr. Lannan's motion to have the Town Accountant and Purchasing Agent prepare a list of equipment to be disposed of in accordance with Article 53.

On a motion by Mr. Lannan seconded by Mr. Hart, it was unan. voted to take the steps necessary to implement the passage of Article 59 which pertains to the Traffic Rules and Regulations for Dalton Rd. and Steadman Street.

Mr. Markham asked that the Board communicate with Mr. and Mrs. Edward Marshall and thank them for their efforts for bringing the two foreign exchange students to the Town Meeting.

Mr. Markham stated that the Board is in receipt of a copy of the Cherry Sheet. He asked that the Bd. comm. with the Dept. of Education pertaining to the reduction for the regional school aid. It appears that the State Dept. of Education has taken it upon themselves to interpret to not pay on the amount of State Aid in relation to Chapter 70 that the Towns are entitled to but to pay on the number of students enrolled in the regional school. I know our participation in the regional school is increasing not decreasing, therefore, our aid should be increasing. Based on what we have rec'd. for a 12 month period and now for an 18 month period, again there is a deficit of some $144,000. Immediately communicate with the Dept. of Education and send a copy to the Governor's office and register our feelings relative to Reg. School Aid. Also, ask the Town Accountant for a report pertaining to any other items that he feels we should be concerned with. On a motion by Mr. Murphy seconded by Mr. Hart it was unan. voted to communicate the Board's feelings to the Dept. of Education. Also, a copy of this letter would go to Sen. MacKenzie, Rep. Freeman and Governor Sargent. It should also include that when this Town was presented with the Reg. School Agreement, the State Legislature had established Chapter 71, Sect. 16D to encourage Regional School Districts. If the State has found some discrepancies, they should attempt to correct them but not at the expense of this community and the people who have formed these schools.

Meeting Adjourned

On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:00 P.M.

For the Board of Selectmen
by Marion C. McCready

Special Meeting of the Board of Selectmen held May 10th, 1973, commencing at 7:30 P.M. Regarding: Chelmsford - Westford Town Line.

Members Present

Members Present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Murphy, Mr. Hart was absent, Mr. Lannan, Mrs. Haines was also present. Mr. Markham presided.

Also present were: David MacKenzie, representing State Senator Ronald MacKenzie, State Representative Bruce Freeman, Assessor Charles House, Superintendent of Streets, Louis Rondeau, all abutters present with the exception of Richard B. Robinson, Paul and Janet Snyder, Glen and Mary Lukas, David and Kay MacElroy, J. and C. Homes, and Roland and Christine Vegeant.

Special Mtg. Re: Chelms - Westford Town Line.

Mr. Markham opened the meeting and stated a little background might be in order to bring everyone up to date on this matter. A letter dated November 1st, 1973 was received from Edward Baron stating that U. S. Geological Survey Map showed that the Town Line as it now stands is in the wrong place. Based on this letter the Selectmen held a meeting with Mr. Baron and as a result requested the County Commissioners to survey the area for possible error at the Chelmsford - Westford line at Pine Hill Road. The County Commissioners did approve this request under a letter dated January 25, 1972. On April 19, 1973, the Board received a communication from the County Commissioners informing us that the study of the Chelmsford - Westford Town Line had been completed and has established the correct position in the vicinity of Pine Hill Road, Whippletree Road and Main Street. Upon receipt of this correspondence the Board voted to meet with the residents affected to determine whether or not they wished to remain in Chelmsford. If the residents wish to remain in Chelmsford this Board will do whatever is necessary to make sure they remain Chelmsford residents. Mr. Lannan stated that when the Board was notified of the completion and we were told by the Engineers that they had to go to Tyngsboro to establish the true line. At that time they said only seven (7) families would be involved. I asked the Engineers to inform me as to the proper procedure the Town should now take. The engineer informed me that the mistake had taken place 75 to 100 years ago. Based on the peoples feelings, the next step would be and act of legislature. Tom Paquette, 25 Whippletree Road, asked if it were true that no protest had been made in 100 years the line becomes the official line. Mr. Lannan stated not to his knowledge. Mr. Paquette, stated he wished to remain in Chelmsford. Joseph Giordano, 1 Galloway Road, read from the state law Chapter 42 Section 8. Where an act dividing a town into 2 precincts described the dividing line as "a straight line," and appointed a surveyor to run the line which he did and one of the precincts was aferwards incorporated as a separate town, and the line run by the surveyor was peramublated from time to time by the selectmen, and acquiesced in by the two towns for more than 100 years, the line run by the surveyor was the true dividing line between the two towns though not perfectly straight. Am I to interpret from this that if Westford broke away from Chelmsford and the line was changed, this line would become the official line. Edward Baron, 309 Pine Hill Road, stated the reason why he had asked the Selectmen to act on this was because Mr. Rollins a former Assessor from Westford had sent him a bill. I was receiving two tax bills from both Westford and

IN MEMORIAM

A Page of Dedication to the Memory of the Veterans' Agent of the

Town of Chelmsford

TERRENCE E. O'ROURKE

Appointed Veterans' Agent March 18, 1958

Died May 11, 1973

In grateful remembrance for his friendship, kind consideration of his associates, and his wide understanding of the duties and responsibilities of the Office of the Chairman of the Personnel Board.

Chelmsford
Westford Town
Line (Cont'd)

Chelmsford. I knew Mr. Rollins was wrong, so I took it to court. Mr. Baron stated that it was his engineer that discovered the Town Line was in the wrong place. The line is still not right, if the line was continued to Tyngsboro, half of Nabnasset would be in Chelmsford. Theodore Wirtanen, 29 Whippletree Road asked if we are accepting road bounds as they are now, or on what is proposed. Where do we now stand. Mr. Markham stated that both Town's Assessor's will be informed. It is our intention to appeal this corrected line if thats what the residents want. This appeal would be through the State Legislature. Mr. Markham further stated that this Board will further communicate with the County Commissions relative to other boundaries in other sections are in the right place and if plans are available for these other sections. Albin Hastabacka 3 Singlefoot Road, asked how he would be assessed for his property as part of his land is now licated in Westford. Mr. House, Chelmsford Assessor stated he would now receive 2 tax bills. The bill would be determined on the worth of the property in each town. George Pomeroy, 9 Singlefoot Road asked Mr. House what would happen of he didn't pay taxes to Westford for 3 or 4 years. Mr. House said that it could be sold for tax title. Mr. Murphy stated in his opinion the services received by those residents would still be in Chelmsford, as the streets are in Chelmsford. The children would attend Chelmsford schools. Westford would have to have an agreement to reimburse Chelmsford for these services. William Olha, 27 Whippletree Road, stated he wished to go on record that his rights under the 14th amendment of due process of law has been violated. He also stated that he wanted to make it very clear that we want to remian in Chelmsford. Representative Freeman stated that this is all completely new to me. I can file a late bill, however I will have to study the problem and know what I'm doing. I will idscuss this problem with the House Counsel and obtain previous cases, in order to gather information. I will need a letter for the Board of Selectmen telling me what the problem is, in order for me to take any action. Mr. Markham stated that legal questions would be submitted to Town Counsel. David MacKenzie stated that this problem has happened in many other communities. Once the Senator knows of this problem, he would act on proper legislation. I do not think you have a monster in your hands. I would suggest you allow Representative Freeman and Senator MacKenzie to carry the ball from here and the problems will be very simple. Donald Deleppa, 31 Whippletree Road stated it is quite evident that the residents here tonight wish to remain in Chelmsford. Mr. MacKenzie suggested that the residents furnish the Selectmen, Representative Freeman, and Senator MacKenzie formal written notice of their wish to remain in the Town of Chelmsford. The residents at the meeting signed the following petition, which was drawn up by the Board of Selectmen at this meeting. "We hereby petition the Board of Selectmen of Chelmsford, Mass., to initiate the necessary steps to establish the Chelmsford - Westford Town Line so that our homes and property remain under the jurisdiction of the Town of Chelmsford with all the rights adherent thereto. Mrs. Deleppo, 31 Whippletree Toad, stated she was of the opinion that Westford wanted the taxes from the properties involved. Mrs. Wirtanen, 29 Whippletree Road, stated she had already been approached by Westford Assessors. Mrs. Galasso, 3 Galloway Road asked if the law of adverse possession would apply as the line has not been questioned for over 100 years. Mr. Lovering stated that adverse possession applies to people not towns.

Mr. Murphy moved that the Board of Selectmen send a letter to the Westford Selectmen indicating our desire to meet with them, Representative Perrault, Senator Tully, and County Engineers as soon as possible. Mr. Lovering seconded this motion, it was voted unanimously by the Board. Mr. Lannan moved that this item appear as a permanent item on each weeks agenda until the problem has been resolved and the Selectmen notify a representative of the residents on the status on a weekly basis. Mr. Murphy seconded the motion and it was unanimously voted by the Board.

The residents selected Joseph Giordano, 1 Galloway Road to represent them, and requested all correspondence be forwarded to him.

Mr. Murphy moved to retain the services of Town Counsel regarding the legal points that were brought out at tonights meeting. Mr. Lovering seconded the motion and it was unanimously voted by the Board.

On a motion by Mr. Lannan seconded by Mr. Lovering it was unanimously voted to adjourn the meeting. The meeting was adjourned at 8:55 P.M.

For the Board of Selectmen
by Evelyn M. Haines

Regular Meeting of the Board of Selectmen on May 16, 1973, commencing at 7:30 P.M.

Members Present

Members present were: Mr. Markham, Jr., Chairman, Mr. Hart, Mr. Murphy, Mr. Lannan, Mr. Lovering, Mrs. Haines was also present. Mr. Markham presided.

Members of the Press Present

Members of the Press present were:
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Page of dedication for Vet. Agent, Terrance O'Rourke

Mr. Markham spoke of the passing of the Town of Chelmsford's Veteran's Agent, Mr. Terrance O'Rourke, and asked that all stand for a moment of silence. He asked that a page of dedication be set aside in the Minute Book for Mr. O'Rourke.

Open bids for Rec. Comm. re: backstops

Two bids were then opened for the Recreation Commission: Mr. Lovering opened a bid received from Glenview Fence Company, $825.75 for one backstop - $1,651.50 for two backstops; prices good for 30 days. - Mr. Murphy opened the bid from Ray's Fence Company, Inc., $797.00 for one backstop - $1,487.00 for two backstops, prices good for 60 days. One is for the South Row School and one for the Harrington School.

Discussion with Planning Board members and Bldg. Inspector re: violations of earth removal at Stony Brook Acres.

The Board met with members of the Planning Board and the Building Inspector, Peter J. McHugh, Jr. regarding violation of earth removal at Stony Brook Acres off Crooked Spring Road. Mr. Markham read an opinion received from Atty. McCarthy stating Stony Brook Acres is an approved subdivision, meaning land shown on plan will be governed for a period of seven years by the by-law in effect at time of the submission of the plan. The Subdivision Rules and Regulations of the Town set forth specific design standards for construction of streets, slopes, footpaths, easements, drains, etc. If soil is being removed for purposes other than grading of lots in preparation for construction or grading of streets in compliance with Subdivision Control Law then procedures outlined in Earth Removal Section of Zoning By-laws must be followed. Atty. McCarthy recommended that the Building Inspector make a factual determination of whether or not earth removal activity is or is not related to the approved subdivision plan. Atty. McArdle of Atty. McCarthy's office stated that all earth removal building permits have been issued but not for the area in question. Mr. Stephen D. Wojcik of the Planning Board stated the slope was dangerous to children in the area. Mr. Murphy questioned consideration given to residents in area during construction. Mr. Wojcik stated that Cormier Construction put up a snow fence. Mr. Lannan stated that for many years there has been trouble in this area, and why did the Planning Board go through Subdivision approval after all previous trouble. Mr. Lannan suggested Town Engineer take shots regarding the level. Mr. McArdle stated building permit must be issued once street grading is accomplished. Building Inspector cannot give permit unless perc test is taken, to which Mr. McHugh stated that the test has already been taken. Mr. Lannan made a motion to have the Town Engineer and Cormier Construction take shots of the grade level. Mr. Murphy seconded this motion. The Board voted unanimously to have this done. Mr. Wojcik told the Board that the Town Engineer sends his results of the check to the Planning Board. Mr. Thomas Ennis of the Planning Board stated the problem with the Town Engineer only being part time. Mr. Lannan stated that this problem is now being worked at. Mr. Hart suggested that the Planning Board and the Board of Selectmen meet regarding the different problems facing the Town.

The Board of Selectmen met with members of the Town Celebration Committee regarding Fourth of July Parade and Don MacPhail Day. Mr. William Fitzpatrick of the Town Celebration Committee gave the members of the Board the itinary for the 4th of July parade. Don MacPhail Day has been designated for June 3, 1973, to be held at the Elks Hall. It will be an open house type of affair, at which time Sgt. MacPhail will pe presented with a plaque and a pewter stein. It was learned that Sgt. MacPhail does not wish to be Grand Marshall at the 4th of July Parade. Mr. Edward McCaffrey of the 4th of July Committee stated that there will be a bonfire held on the grounds of the South Row School the evening of July 3rd. A permit has been granted for this burning. All events could be covered by a blanket insurance policy for three days, the cost which is about $100. Mr. Hart granted the Town Celebration Committee the use of a Public Address System for one week. This motion was seconded by Mr. Murphy, with the Board's unanimous vote. Mr. Markham asked the Committee members present to forward to the Selectmen all the events that will take place for this celebration.

Town Celebrat-
ion Comm. met
to discuss the
itinary for
4th July parad
and Sgt. Don
MacPhail Day.

The Board of Selectmen met with members of the Environmental Advisory Council regarding the current and future Recycling efforts. Members of the Council present were Dr. Ethel Kamien, Mr. Richard Codling, Mrs. Lewis, Dr. Refson, Mrs. Greenblatt; Mr. Arnaud Blackadar, Town Accountant, and Mr. Louis Rondeau, Highway Superintendent were also present. Mrs. Greenblatt reported that in the four months of recycling, 80½ tons of paper has been collected. The amount received for the paper is $649.88. The amount saved in incinerator fees if $501.80, and 416 trees have been saved. Dr. Kamien stated that the Town would realize a profit if one half of the houses in Town savec their papers. Mr. Rondeau stated that Highway Department labor fees would amount to $10,080.00 a year; plus gas, oil, etc., the amount would total $15,725.00 a year. Mr. Hart asked Mr. Rondeau the number of trucks used daily on trash collection to which he told the Board that five trucks are used daily. Mr. Markham stated that the problem now is for the Highway Department to utilize personnel for this program, and look for other alternatives. Dr. Kamien told the Board that Andover, Bedford, and Haverill have advertised for bids from outside companies for the recycling to be done. Dr. Kamien said the Town has not expended any additional monies for this program. Mr. Markham then read a letter received from Mr. Blackadar giving the amount of wages paid for this collection to date, the amount being $2,375.55. Mr. Blackadar stated that he is not against this program. It is costing $840.00 a week for Highway employees to work the recycling pickup. Mr. Hart stated where it is costing more money, possibly another solution could be arrived at for the recycling program. Mr. Lannan stated that originally racks were to be installed on the trucks, but it could not be done. He also stated that the Towns people really want a recycling program. He also stated the intent of the article submitted was for separate paper pick-up from the regular trash pick-up. Mr. Rondeau stated that with this recycling program, he looses 240 man hours a week, which takes away from the highway work. Mr. Lovering made the motion to reconfirm our support of the by-law, and to pursue other methods of collection, and to re-schedule a meeting in September to review the recycling program. Mr. Lannan

Discussion
with Environ-
mental Advis-
ory Council;
Highway Supt.
Town Account-
ant reg. re-
cycling
program

seconded this motion, with the Board's unanimous vote. Mr. Lannan made the motion to have Mr. Olson, our Purchasing Agent to contact the Environmental Advisory Council regarding bid specifications. Mr. Hart seconded this motion, with the unanimous vote of the Board.

Motion to adjourn withdrawn

Mr. Lannan made a motion to adjourn the meeting and to finish the remainder of tonight's business at the next mtg. Mr. Hart seconded this motion. The motion was withdrawn.

Vote interim Veterans Agent Joseph Dowd.

Mr. Hart motioned to advertise for a new Veteran's Agent and to explore the fact for a full-time agent. At the present time, the Veteran's Agent has office hours two nights a week. Mr. Lannan made the motion to appoint Mr. Joseph Dowd of 244 Hildreth Street, Lowell, Mass. as interim Veterans Agent. Mr. Hart seconded this motion. The Board voted unanimously on this appointment.

Westford - Chelmsford Line

Mr. Murphy spoke on the subject regarding the Chelmsford - Westford line stating that he contacted Rep. Freeman but he had nothing to report. He also contacted Senator MacKenzie on this subject and he stated he is waiting for a letter from the Westford and Chelmsford Selectmen.

Mtg. Adjourned

Regarding the motion to adjourn, the Board unanimously voted to adjourn the meeting at 11:10 P.M.

For the Board of Selectmen
by

Regular Meeting of the Board of Selectmen held May 21st, 1973, commencing at 7:30 P.M.

Members Present

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Hart, Mr. Murphy, Mr. Lannan. Mrs. Haines was also present. Mr. Markham presided.

Members of the Press present.

Members of the Press present:
Chelmsford Newsweekly: Mrs. Ann Marie Kierce
Chelmsford Sentinel: Mr. Jerry House
Lowell Sun: Mr. Gus Webster

Signing of Proclamation for "Don MacPhail Day" on June 3, 1973."

The Board of Selectmen signed a Proclamation for "Don MacPhail Day" to be held Sunday, June 3rd, 1973. Mr. Lovering made a motion to accept this Proclamation, seconded by Mr. Murphy, with a unanimous vote of the Board. Mr. Ray Bixby, the Sentinel photographer then took a picture of Mr. Markham signing the proclamation, and of Mr. Ray Day of the Town Celebration Committee.

Discussion with Youth Center Comm. Reg: size of Committee and problems arising at the Youth Center.

The Board met with members of the Chelmsford Youth Center Committee, Mr. Hank Foster, Director of the Center; Mr. Joseph Dappal, and Mr. Robert Hall. Mr. Markham asked the Committee members about the size of the committee. Mr. Dappal told the Board that the Committee would suggest there be about nine to twelve members. Mr. Dappal recommended that three additional people be added to the Committee. Mr. Hall told the Board that five people had been interviewed and the Committee had chosen three of them. The people chosen were Michael Anderson, 791 Broadway, Lowell, Mass. who is a junior at Lowell State College; Denise Quinn, 166 Stevens Street, Lowell, Mass., a senior at Lowell State College; and Eleanor Paterson, 289 Acton Road, South Chelmsford, Mass. as an alternate who has had experience in this field. Mr. Lovering made a motion to appoint these three people to the Committee, with Mr. Hart's second to the motion. Mr. Lannan stated he would abstain from voting because he felt that local people should be chosen and more effort should be put into employing local people. Mr. Hall stated that they had contacted local agencies for applicants, and only five people applied. Mr. Murphy then asked if there was a need for the Board to approve these people, to which Mr. Lannan stated yes. The vote was four in favor, Mr. Hart, Mr. Markham, Mr. Murphy and Mr. Lovering, with Mr. Lannan abstaining. Mr. Hart then informed the Committee that he had received several telephone calls from parents complaining of conditions at the Youth Center. Some of the complaints were that older boys were present at the dances; cars with older boys picking up girls who leave the dance; reports from children telling their parents that the program is run by the school. Mr. Hall told the Board tha at the dances there are from 200 to 300 children attending, and with a group that large, some undesirables will stand out and probably cause trouble. Mr. Hall made reference to a twenty-five year old young mand who attended one of the dances. The Committee had allowed this as it was a request by a minister. That night the dance was chaperoned by nine adults and two policemen. He also stated that the dances will always have the proper supervision. Mr. Hart stated the problem for teenagers leaving the dance once they are inside the building; once they enter the building they should not be allowed to leave and if they do leave, not be allowed to re-enter the building. Mr. Murphy then questioned the parking problem. Mr. Hall then asked the Selectmen if they could back the Committee with a law prohibiting people from being in parked cars in the area of the Yough Center. Mr. Hart told the Committee the Board would gladly ask Town Counsel to look into the legal aspect of this problem. Another Committee member stated possibly more publicity regarding who the Committee members are may possibly help. Mr. Lannan asked the age of these teenagers and Mr. Hall said the age is from thriteen to seventeen. Mr. Markham asked the Committee if they had considered the use of the Middlesex County Training School. Mr. Hall told the Board with the increase in members, the McFarlin school will be inadequate in facilities, and there is a need to expand the program to meet the needs of the children. The Committee was asked to consider the Training School and submit a package, as Chelmsford would only be interested in the facilities as a whole. The Selectmen stated they would ask the County Commissioners if they would consider complete use of the Buildings and grounds by Chelmsford. The members of the Committee invited the Selectmen at any time to visit the Youth Center.

Youth Center discussion continued reg: problems arising.

Mr. Markham then spoke of the gasoline storage for Chelmsford. No bids have been received. A proposal has been received from the Gulf Oil Company, to provide gasoline for Chelmsford for a period of one year which was read by Mr. Lovering. The quoted price from Gulf Oil Company based on CWT is for regular gas 22.1 cents minus .02 cents per gallon; or our price is 20.1 cents plus state tax of 07.5 cents a gollon; totaling 27.6 cents a gallon. For premimum gasoline the CWT price is 25.6 cents a gallon minus .02 cents; or 23.6 cents a gallon plus state tax of 07.5 or a total of 31.2 cents a gallon. It was decided that 94 octane was sufficient for Town use. The conditions were all equipment must be owned by the Town of Chelmsford, and Gulf would not deliver into 500 and 1,000 gallon tanks. There would be no delivery to the tank in back of the Town Hall, but the Police station tank of 3,000 gallons and the Highway Department tank of 5,000 gallons would be filled by Gulf. A program is being undertaken to upgrade the tank at the Highway Department to 15,000 gallons. Mr. Lovering recommended to the Board to accept the Gulf proposal. Mr. Lannan commended Mr. Lovering and Mr. Olson on bringing this to a conclusion. Mr. Lannan seconded the motion by Mr. Lovering to accept this proposal .

Discussion Re: the Gulf Oil Company proposal regarding gasoline delivery to Town.

Regarding the minutes of the meeting of the Board of Selectmen held April 4th, 1973, Mr. Lannan requested that the minutes be held at this time.

April 4th, 1973 minutes held.

Mr. Markham stated that about two weeks ago he received a report from the

Comm. Regarding water tie on Tyngsboro Rd.

Fire Chief regarding the water tie in on Tyngsboro Road. A verbal committment was received from the Water Department stating this will be done. It was suggested that the Board write a letter to the Water Department requesting them to inform the Board when this work will be done.

Check rec'd from Norcross & Leighton for dividends on Wk. Comp. last year and Sinking Fund Check for Hi-way garage & School Dept. repairs.

Mr. Markham then told the Board that a check was received from Norcross and Leighton in the amount of $12,512.00 a dividend on last years Workman's Compensation Policy. It was stated that year's policy is from Picken Insurance. Another check was received from the Sinking Fund in the amount of $4,400.00 to reimburse for losses at the Highway garage and School Department. Both chekks have been deposited by the Town Treasurer.

Summary of correspondence of meeting (Items 1 thru 8) read and acted upon.

A discussion took place regarding the correspondence summary for this meeting, as follows:
1. Request for a transfer of a Common Victualer License from Zwaagstra d/b/a Lori's Donut Shop, 21 Vinal Square, to Robert R. Durand. Transfer was granted.
2. Letter from Chief Reid regarding the Fire Station Building Site - Sanitary tests have been made by Board of Health and State and have passed all requirements, therefore turn over to Town Counsel for acquisition of land. Voted to turn over to Town Counsel.
3. Request of transfer of gasoline storage license (2,200 gallons underground) from Robert C. Wilkins, Inc., to Danco Building Supply Inc., 170 Tyngsboro Road. Transfer granted.
4. Request from James R. Lorrey, President of Lowell Sportsmens Club to have shoots on grounds at Swain Road starting at 10:00 A.M. on the following Sunday's June 17th, July 29th, August 26th, and October 7th, 1973. Voted to approve this request.
5. Request from James R. Lorrey, President of Lowell Sportsmens Club for a Beer and Wine license for Sunday, June 10th, 1973, at Swain Road. Vote to approve request.
6. Contracts received from Atty. McCarthy to be signed between Town and Penn Central regarding the enlarged culvert to be installed under the Penn Central Railroad due to construction of new homes on Manahan Street and Chelmsford Street, as well as construction of the proposed mall. Voted to execute and Board signed contract
7. Request from Frank A. Andreatta, Fair Chairman 1973, to use public address system on South Chelmsford Common during Annual Fair to be held Saturday, June 9, 1973. Voted to grant request.

A motion was made by Mr. Murphy to accept items one through seven, seconded by Mr. Lovering. It was voted unanimously to accept the seven items as listed above.

8. A letter received from State Representative Philip L. Shea regarding redistricting. Mr. Shea received our communication on May 10th, 1973, and unfortunately the final vote on redistricting was taken the same afternoon after three days of various votes and debates. Mr. Shea also stated that had an amendment to establish the "two representative theory" been presented as outlined, that he would have voted yes to uphold that thinking.

Mr. Murphy stated that he was pleased that Mr. Shea has accepted the proposal but concerned that the amendement had not been filed. Mr. Lovering stated that the Board should continue their support of Mr. Shea. It was suggested that a communication be sent to Mr. Shea stating the feelings of the Board Members, with a copy sent to the representative and senator. Mr. Lovering made the motion for this letter to be sent to Mr. Shea, seconded by Mr. Murphy, with the board's unanimous vote.

Unfinished business of May 16th mtg. discussed and voted upon.

The unfinished business of the meeting of May 16th, 1973 was then discussed by the Board. The summary of the correspondence was then discussed as follows:
1. Renewal of Auctioneer Licenses for Joseph D. Farragher; William E. Riney;

Arthur Pratt; Bradford O. Emerson; Theodore W. Emerson. Voted to approve renewals.

2. Renewal of Bowling Alley Licenses for Charles F. Dinnigan, d/b/a Dinnigan's Duck Pin Lanes; Pages Bowling Enterprises, Inc., d/b/a Sammy White's Alpine Lanes. Voted to approve renewals. Mr. Murphy, Clerk for the Board then signed the licenses. Mr. Murphy moved to accept the license renewals, seconded by Mr. Hart. A unanimous vote followed.

3. A communication from Chief Robert Germann regarding transfer papers of John J. Mack, Jr., of the Westford Police Department, to be appointed to Chelmsfords Police Department to replace Patrolman Charles Hillman who is transferring to the Lowell Police Department as of May 13, 1973. Mr. Lovering stated he approves the transfer of John Mack to the Chelmsford Police Department, but would be concerned if in the future, a great many transfers appeared. Mr. Hart stated he approved the transfer and that no names from Chelmsford residents appeared on the list at the present time, and there is an opening at the present time. In the future Chelmsford residents should be picked. The base pay rate for Mr. Mack will be $9,138.00. Mr. Lovering made a motion to accept this transfer, seconded by Mr. Hart. A unanimous vote of the Board followed.

Unfinished business of May 16th mtg. discussed and voted upon.

4. A request was received from Mr. Joseph E. O'Connell to appear before the Board to show that there is not enough business in Town to issue a taxi license to Mr. Richard Tanner. Mr. Lannan stated he flet there was no reason to have Mr. O'Connell come before the Board regarding this request, as Mr. O'Connell has moved his business to Billerica. Mr. Hart felt that the Board should meet with Mr. O'Connell. Mr. Lovering stated that competition is healthy and that the town can support the existing taxi services. Mr. Hart stated he would like to know more information regarding Mr. O'Connell's operations. It was suggested that a letter be sent to Mr. O'Connell requesting information why he needs a license in Chelmsford, if he is not operating out of Chelmsford. Mr. Lannan moved to deny the request of Mr. O'Connell to meet with the Board, but made the motion to have Mr. O'Connell come before the Board to discuss the location of his business. Mr. Hart seconded this motion. It was voted unanimously by the Board.

5. A letter of resignation was received from John Alden as Administrative Assistant and Training Coordinator of the Northern Middlesex County Consortium of the EEA., to become effective May 28th, 1973 at 5:00 P.M. It was voted unanimously to accept this resignation, with a letter of appreciation to be sent to John Alden.

6. A letter from Mr. Peter J. McHugh, Jr., Building Inspectpr, was received, stating that regarding Cushing Place in Central Square; it has been raised with no cost to the Town.

7. A letter from the Building Inspector, Mr. Peter J. McHugh, Jr., regarding questions concerning East Gate Plaza. Mr. McHugh stated that no permit was issued for the structure (Garden Center). The use is a permissable use in a C. C. District, and the structure is a temporary one to be used for less than one year. Mr. Lovering stated that one of the main questions regarding by-law violations was not answered by the Building Inspector. The Board asked that Mr. McHugh check the matter of possible violation of by-laws, and if so to discuss it with Town Counsel. Mr. Lovering made a mot on, seconded by Mr. Murphy to contact the Building Inspector regarding this. Mr. Lannan stated if a permit was not issued, the Building Inspector should take action as needed, and the Board should not interfere with his duties. Mr. Markham stated that in regard to the parking facilities at East Gate, the answers of the Building Inspector were not properly clarified at this time. Mr. Lovering made a motion to inform the Building Inspector of this; followed by a unanimous vote of the Board.

Unfinished Business of May 16, 1973, d s-cussed and voted upon.

Mr. Lovering stated that the summary from Atty. Zaroulis regarding East Gate Plaza had been sent to the Haverhill Shopping City Realty Trust. No response has been received from them. Mr. Lovering made a motion to send a communication to the Haverhill Shopping City Realty Trust requesting they forward their comments on Atty. Zaroulis' opinion to the Board within ten days. If the answer is not received within ten days, the Board will review the matter and take whatever action is necessary to alleviate the violations. Mr. Murphy seconded the motion. It was voted unanimously by the Board.

8. A letter from the Building Inspector regarding North Chelmsford Auto Parts - reference to license for junk yards - the topic of the fence. He suggested that the applicant give the Board a plat plan of the land in question drawn to scale, with all structures and fences that are on said land, and send a copy to the Building Inspector for approval or disapproval. Mr. Markham stated that late in 1972, the license was held up, and the Board agreed to pursue the matter. Mr. Markham stated that the cars exceed the limit of the fence on Tyngsboro Road, and the building is run down, and there is a question regarding the address; it is not the same as shown on the license. Mr. Lovering moved the recommendations of the Building Inspector for the applicant to give the Board a plat plan of the land in question. Mr. Hart seconded the motion. A vote of the Board was then taken with two opposed, three in favor. Mr. Lannan, Mr. Murphy opposing; Mr. Hart, Mr. Markham, and Mr. Lovering in favor.

9. A letter from Mr. Louis Rondeau, Highway Superintendent, regarding a drainage problem in front of property of Robert L. Griffin, 35 Sheppard Lane. The cause of the problem is a spring in the rear of 33 Sheppard Lane. This is private property and not the Town's responsibility. Mr. Markham stated there are many areas in the Town with problems of drainage. Mr. Hart stated it is the duty of the Town Engineer to check into these problems. Mr. Hart moved to table the matter and made a complete package of all drainage problems for the future when the Town has a full time Town Engineer. Mr. Murphy made a motion to inform Mr. Griffin that the Board will take his request under advisement. Mr. Hart seconded the motion, with the Board voting unanimously.

10. Mr. Peter J. McHugh, Jr., Building Inspector submitted his report of Building Permits issued during the month of April, numbering 49 for a valuation of $468,200.00. Mr. Murphy made a motion to accept this report, seconded by Mr. Hart. It was voted unanimously by the Board.

11. A letter from Peter J. McHugh, Jr., Building Inapector, regarding J. M. Fields, Parkhurst Road. He states that J. M. Fields is located in a C. C. District and that the trailor trucks that are used as storage are in violation of the zoning by-laws. Mr. Hart made a motion to send a letter to the Building Inspector and tell him to take necessary action of any violation on the matters where necessary. Also, for the Building Inspector to send to the Board, copies of the action taken. Mr. Lovering seconded this motion. The Board voted unanimously on this.

12. A request from Mrs. Lothar U. Fuchs, owner of a furniture store located at 262 Mill Road, asking permission to have a sign put up on 129 Billerica Road, on the island of Mill Road next to the Mill Road Sign with the name of Lothar U. Fuchs Custom Furniture on it. Mr. Hart made a motion to deny this request, seconded by Mr. Lannan. The Board voted unanimously to deny this request.

13. A letter was received from Frank Wojtas, Dog Officer regarding the complaint of Mrs. Brennan of 26 Highland Avenue. Mr. Wojtas investigated the complaint and received names of owners of the dogs, and has made frequent visits

to the area. Mrs. Brennan still has a complaint that dogs are running loose in the area, and feels they should be picked up and fined $15.00. Mr. Murphy made a motion to notify the Dog Officer that there is still a complaint in the area and to check into this. Mr. Hart seconded this motion, with a unanimous vote of the Board.

14. ABC Commission regarding sale of alcoholic beverages on Memorial Day May 28th, 1973. Hotels, Restaurants, Taverns and Clubs shall not open for sale of alcoholic beverages, before 12:00 noon. Package stores shall not open any time during day. Manufacturers, wholesalers, and importers shall make no deliveries or sales any time during day. Registered Pharmicists shall make no sale of alcoholic beverages except upon prescription of a registered physician. Mr. Lovering made the motion to approve this, seconded by Mr. Hart, with a unanimous vote of the Board.

Unfinished business of May 16, 1973 discussed and voted upon.

15. ABC Commission regarding certificates of Good Standing are applicable to Corporations only, not individuals as previously stated. Mr. Lovering made a motion to approve this, seconded by Mr. Hart, with the Board voting unanimously.

16. John Balco, Chairman of the Conservation Commission has asked the Board of Selectmen to authorize the use of Town Counsel regarding Cease and Desist orders. Mr. Lannan stated that the Conservation Commission has the authority to issue Cease and Desist orders themselves, and felt that Town Counsel should not be used. Mr. Markham made the suggestion of a meeting with Town Counsel on this, that the Conservation Commission was asking for assistance. Mr. Lannan stated only if it is really necessary for them to use Town Counsel. The Board moved that the Conservation Commission issue Cease and Desist orders, and if any difficulties did arise, then the Board would grant the use of Town Counsel. Mr. Hart seconded this motion, with the Board voting unanimously.

The Board then made the following appointments. In regard to the Town Forest Committee, it was suggested that a letter be forwarded to Mr. Robert T. Clough asking him if he is still interested in serving as a member of the Town Forest Committee.

Town Forest Comm. letter to R.T.Clough

Mr. Murphy made the motion to advertise that there are openings on the Capital Planning and Budgeting Committee, and any person being interested to contact the Selectmen's office, by June 11th, 1973. Mr. Lannan seconded this motion, with the unanimous vote of the Board.

Advertise for persons interested in Capital Pl. & Budget Comm.

Mr. Murphy reguested a hold on the appointments to the Drug Abuse Committee until after their meeting which will be held May 30th, 1973 when the future role of the Committee will be discussed, also recommendations to serve on this Committee.

Hold on Appts to Drug Abuse Committee.

A hold was asked regarding the Honor Roll Committee, and it was suggested that Mr. Dixon who is a member of the Honor Roll Committee, be sent a letter asking that he inform the Board of the activities of this Committee.

Hold on Appts. to Honor Roll Committee.

Mr. Murphy asked that a hold be placed on appointments to the Insurance Advisory Committee, until he could meet with the present oommittee and discuss their procedures. Mr. Lovering seconded this, with the Board agreeing unanimously.

Hold Appts. on Insurance Advisory Comm.

Mr. Murphy asked that a hold be placed on the appointments to the Kennel Building Committee until the present Leash Law Committee's functions could be considered. It was considered to combine the two committees. Dr. Martin Gruber has applied for membership to this Committee.

Hold on Appts to Kennel Bldg. Comm.

Hold on
SHARE for
Sel. Rep.

A hold was asked on the Selectmen's Representative to the Committee on SHARE.

Hold on
Appts. of
Sidewalk &
Highway Comm.

A hold was placed on the appointments to the Sidewalk Planning and Highway Committee. It was decided that at the meeting of the Board on June 11th, 1973, the selection of names would be made.

Ask A. Coburn
to act as
Chairman Pro-
Tem to Vet.
Emerg. Fund

Regarding the Veterans Emergency Fund Committee, Mr. Lovering made the motion to ask Mr. Alfred Coburn to act as Chairman Pro-Tem for this Committee. It was also asked that a communication be sent to Mr. Emerson asking if he is still interested in serving on this Committee. Mr. Murphy seconded this motion.

Hold Appts.
Anti Litter

A hold was placed on the appointments for the Anti Litter Committee.

Appt. to Bi-
cen. Cel. Com.

It was unanimously voted to reappoint Mr. George A. Parkhurst to the Chelmsford Revolutionary War Bicentennial Celebration Commission.

Hold appts.
to Update Tn.
History.

A hold was placed on the appointments to the Committee to Update Town History.

A. Blackadar
Sel. Rep to
Comm. Teamwork.

Mr. Murphy made the motion to appoint Mr. Arnaud Blackadar as the Selectmen's representative to Community Teamwork. Mr. Lovering seconded this motion with the unanimous vote of the Board.

G. J. Lannan
Sel. Rep. to
EEA

It was voted unanimously to have Mr. Gerald J. Lannan continue to serve as the Selectmen's Representative to EEA.

Town Line:
Westford -
Chelmsford
Letter Signed
by both Town
Bds.

Mr. Murphy stated that he spoke with the Administrative Assistant of the Westford Board of Selectmen and he stated that the Selectmen of Westford had received our letter regarding the Westford - Chelmsford Town Line. He stated that the next meeting of the Westford Board of Selectmen will be held on May 29th, 1973, and that all members are in agreement to keeping the line as it is. The Administrative Assistant of the Westford Board of Selectmen suggested that a letter be prepared for signatures of both Boards and be delivered to the Westford Town Hall by noon of the next day, he would have the Board sign. Mr. Murphy made the motion to have the letter signed at this meeting by the members of the Board, seconded by Mr. Lannan. It was voted unanimously by the members of the Board.

Central Sq.
Traffic Mtg.
May 31st,
1973 also
Topics Program.

Regarding the Central Square Traffic, Mr. Murphy moved to meet on Thursday evening, May 31st, 1973 at 7:30 P.M. to discuss this problem, and the Topics Program. Mr. Lovering made a motion that the Board write to the Department of Public Works asking them to furnish the Board with the procedure necessary to implement this program. Mr. Murphy seconded this motion, with the unanimous vote of the Board.

Street Accept.
in near future

Regarding the Street Acceptance, it was decided to take steps toward this in the near future.

Alternate Rt.
for Steadman
Street for-
warded to DPW

Mr. Murphy asked what progress has been made regarding the alternate route on Steadman Street for trucks. Mr. Markham stated as of this date, nothing has been done. Mr. Markham stated that as soon as all statistics are together, it will be forwarded to the State. We do have an alternate route for Steadman Street which will be forwarded to the Department of Public Works. Mr. Lannan stated that the proposed route be forwarded to the Department of Public Works for their approval. Mr. Murphy made a motion for this to be done, seconded by Mr. Lannan, unanimously voted by the Board.

Mr. Murphy stated he has worked out drafts for hearing procedures for the Board to review.

Mr. Lannan stated that Mr. Clark of EEA said that the permanent position vacant on the Highway Department could be filled by an EEA employee and that another EEA employee could fill his vacancy. Mr. Lannan made a motion to hire Mr. Timothy McAndrew on a permanent basis and Mr. Arthur Kleynan to fill the EEA position. This motion was seconded by Mr. Hart. Mr. Lovering abstained because he said that any vacancy in a Town Department should be in writing for the Board to review. The final vote was four in favor, one abstaining. It was requested that the Highway Superintendent be informed that in the future, that the Board of Selectmen be informed in advance of any vacancies in the department.

Vacancy in Highway Dept. filled by EEA employee.

Mr. Lannan motioned that Town Counsel be instructed to draw a by-law to prohibit drinking of alcoholic beverages on public ways and parks with a fine attached. Mr. Hart seconded this motion, with an unanimous vote of the Board.

Town Counsel to draw by-law to prohibit drinking of Alco. bev. in parks etc.

Mr. Lannan made a motion regarding the planning and organizing of an Engineering Department for Chelmsford. The Committee would consist of two members of the Board of Selectmen and one member of the Finance Committee. If a member of the Finance Committee could not serve, then possibly a member from the Capital Planning and Budgeting Committee. The Committee would consist of three members; two from the Board of Selectmen, and one from Finance Committee. It was unanimously voted.

Organize an Eng. Dept. in Chelms.

Mr. Markham requested that the Board communicate with the Police Department and have them review and enforce the parking regulations in Vinal Square, North Chelmsford.

Parking & traffic reg. enforced in Vinal Square.

On a motion made by Mr. Lovering, seconded by Mr. Hart, the Board moved to initiate the process which will change the parking in Central Square around the area of Big Joe's from one hour to one half hour parking. The Board voted unanimously.

Chg. parking from 1hr. to ½hr. around Big Joe's

Mr. Markham asked that the Highway Superintendent and Town Engineer be informed of the settlement of an easement at the rear of 33 Dunshire Drive. He requested that both Highway Superintendent and Town Engineer check this and inform the Board of their recommendations of this problem.

Check Easement settlement at 33 Dunshire Drive.

On a motion by Mr. Lovering, seconded by Mr. Murphy, it was voted to instruct the Purchasing Agent to advertise for bids on the Town's Group Medical Insurance. The expiration date of Blue Cross/Blue Shield is June 30, 1973. The unanimous vote of the board followed.

Advertise for Medical Ins. for Town.

On a motion by Mr. Markham, seconded by Mr. Lannan, it was unanimously voted to inform the City Manager of Lowell of our support regarding the shortage of the Cherry Sheets.

Cherry Sheet shortage.

On a motion by Mr. Markham, seconded by Mr. Lovering, it was voted to adjourn the meeting at 11:05 P.M. The Board voted unanimously to adjourn.

For the Board of Selectmen
by Joan E. Langran

Regular Meeting of the Board of Selectmen held May 29th, 1973.

Members present

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Murphy, Mr. Hart, Mr. Lannan. Mrs. Haines was also present. Mr. Markham called the meeting to order at 7:35 P.M.

Page of Dedication for Pers. Bd. Ch. P. J. McHugh Senior

Mr. Markham spoke of the passing of the Chairman of the Personnel Board, Peter J. McHugh, Sr., and asked that all stand for a moment of silence. He asked that a page of dedication be set aside in the Minute Book for Mr. McHugh.

Hearing Application of Aetna Cartage Co., gasoline storage, 30,000 gallons

A hearing was held at 7:35 P.M. on the application of Aetna Cartage Company for the use of land at Progress Avenue for the storage of one 20,000 gallon tank for diesel fuel; one 1,000 gallon tank for waste oil; one 5,000 gallon tank for gasoline, all underground, and for storage of 4,000 gallons of motor oil, anitfreeze and like flammables, all aboveground; grand total of all capacity to be 30,000 gallons on the premises, to be used for Terminal and Garage. Representing Aetna Cartage Co., a subsidiary of Wilson Freight Co. was Atty. James Geary and present to answer questions on the project was Miss Sarah Simon, Civil Engineer for Connolly Bros, Inc., of Beverly Farms, Mass. Mr. Geary stated that all abutters were notified. Return receipts were not received from Addison and Arlene Palmer, 18 McFarlin Road and Anthony and Jane Vaccaro, 29 McFarlin Road. Twenty-two abutters were present in opposition of this application. F. H. Reid, Chelmsford Fire Chief approved the application for the storage. After a discussion on this application, Mr. Markham declared the hearing closed. Mr. Lannan moved that this application is not in proper order and that this Board not take any action until it is presented to us in proper order.** Mr. Hart seconded this motion. Mr. Murphy asked Mr. Lannan why he considered this application not to be in proper order. Mr. Lannan stated that according to his interpretation of the laws, the gas that is stored in the trucks should be included in the application. Mr. Lannan stated that we would have to ask Town Counsel's interpretation. Mr. Murphy disagreed with Mr. Lannan regarding the gasoline stored in the trucks. Mr. Hart stated that when an application comes before the Board, it should state what the applicant wants and not try to cut down and cut back. This application is improper, it does not give us what ths been stated. Mr. Lovering stated that it was unfair to Atty. Geary to rule this application out of order as the 5,000 gallons gasoline requirement was incorporated at the suggestion of the Fire Chief, who is under the jurisdiction of the Board of Selectmen. It is most unfortunate that we have to rely on that as the means of declaring the application out of order. Mr. Lannan stated that the Fire Chief is not under the jurisdiction of the Bd. of Selectmen. Mr. Hart stated that if the plan before us in so incomplete, possibly they could spend more time and plan the area best suited for the storage. Mre. Geary stated that it would be improper if he tried to add something that was not advertised. Mr. Geary offered to withdraw the 5,000 gallons from the application. The Fire Chief had recommended including this in the application now even though the company did not have a location for this tank. Mr. Lannan's motion passed three in favor, Mr. Lannan, Mr. Hart and Mr. Markham, two opposed, Mr. Lovering and Mr. Murphy. Mr. Lannan thinking that his motion had failed then moved that the Board of Selectmen deny this gasoline storage because of the fact of the hazardous traffic conditions on Billerica Road, this would not be in the best interest of the Town of Chelmsford to have a freight terminal. Mr. Lannan's motion was declared out of order. Mr. Geary asked that the Board obtain an opinion from Town Counsel on the interpretation of Chapter 148, Section 14, so that he could put this application in proper order. On a motion by Mr. Murphy, seconded by Mr. Lannan, it was unanimously voted to request an opinion from Town Counsel on

IN MEMORIAM

A Page of Dedication to the Memory of the Chairman of the Personnel Board

of the Town of Chelmsford

PETER J. MCHUGH, SR.

Appointed Member	Dec. 21, 1965
Appointed Chairman	June, 1968
Died	May 23, 1973

In grateful remembrance for his friendship, kind consideration of his associates, and his wide understanding of the duties and responsibilities of the Office of the Chairman of the Personnel Board.

the interpretation of Chapter 148, Section 14, on that specific issue, 5,000 gallons of gasoline storage and fuel in the vehicles.** It was voted to return the application to the proponent to be presented to the Board in its proper order in order for the Board to take proper action on it. This would require another hearing.

The Selectmen met with Paul Murphy, William Dempster and Sherb Appleton, members of the Recreation Commission to discuss problems which exist at the Robert's property on Old Westford Road. The Recreation Commission brought the following problems to the attention of the Selectmen: 1. A citizen residing across the street from the Roberts' property informed the Rec. Comm. that several loads of fill were taken from the property illegally by workmen who were working at the property adjacent to the Robert's property. The workmen denied same to police when questioned. 2. The property owner adjacent to the Roberts' property has built a bridge from his property to the Roberts' property allowing free passage to mini-bikes and other undesireable small surface vehicles. 3. Mini-bikes and other small surface vehicles continue to be used at the Robert's property. 4. The Recreation Commission is concerned about possible legal implications of injury to persons from illegal use of the property. The Rec. Comm. requested any assistance the Board could provide in order to effectively maintain this property. Mr. Markham also read a letter from Robert M. Hicks asking the permission of the Selectmen and the Recreation Comm. to clean up and improve the Little League Field located on Old Westford Road, just below his gas station. During the discussion with the Recreation Comm. members, the Board agreed to request the Police Dept. to increase surveillance at the Roberts' property. Mr. Dempster stated that he would like to see the Town take a logical approach to the use of all motorized vehicles. There are laws which pertain to the use of these vehicles, (off - road vehicles). Mr. Dempster suggested that all the Town Departments, (School Dept., Recreation Comm., Conservation Comm., Selectmen, Water Depts.) draw up a generally acceptable use or misuse of property and have a general agreement as to what will or will not be done on Town property and present to the Police Department that this represents what these Boards want done on Town property. Mr. Dempster asked that an open meeting be held to draw up a set of rules and regulations before somebody gets killed. The Board agreed to appoint a committee to investigate all aspects including total restriction of mini-bikes, snowmobiles, etc. Mr. Markham also asked that the laws that presently exist be enforced. The Recreation Comm. members stated that they would contact Mr. Hicks in regard to his letter. The Recreation Comm. stated their interest in the Middlesex Coutny Training School and Mr. Markham asked that they submit plans in writing to the Board of Selectmen. The Selectmen also approved a request from the Receeation Commission to use the Town grader for up to one week in order to commence work on the South Row site during the summer months.

Meeting with Recreation Commission to discuss problems at Roberts' property

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unanimously voted to adopt the minutes of meetings held April 4, 1973, and April 11, 1973, as corrected. Mr. Markham asked that a hold be placed on the minutes of meeting held May 16, 1973.

4/4/73.4/11/73 Minutes Adopted

Mr. Lannan, Liason Officer - EEA, read a communication from John R. Clark, Project Director, EEA, requesting that Russell Kerr be transferred to the EEA Office to assume some of the record-keeping and job development assignments. On a motion by Mr. Lannan seconded by Mr. Hart, it was

Transfer R. Kerr to Project Directors Office EEA

Mr. Lannan read a communication from Mr. Clark, Project Director, EEA, informing the Board that money could be made available to the Northern Middlesex County Consortium for 15 slots for Summer Youth Program. These posi-

Summer Youth Program/Northern Middlesex Consortium EEA tions will be strictly for the disadvantaged youth between the ages of 14 and 22 years. Mr. Lannan stated that Mr. Clark would be directing the activities.

Specs. for Gasoline Storage.

Mr. Lovering informed that Board that the proposed Town of Chelmsford Gasoline storage Specifications will be in the reading folder for possible futute action. This would be to provide additional storage of gasoiine at the Highway Garage.

The following is the correspondence acted upon by the Board of Selectmen:

Relocation of Graniteville Rd.

1. A communication was received from the Highway Superintendent re: the relocation of Graniteville Road near the new high school. The area has been surveyed but no work can be done until the utility companies remove the power lines and relocate the pole at the entrance of the school roadway. Mass. Elect. has been contacted and they will take the necessary steps to relocate this pole. No action required by the Board.

Rebid for relocation of Proctor Road.

2. A communication was received from the Highway Supt., re: relocation of Proctor Road two engineering firms have been contacted for an estimated cost of the surveying and layout of the road. Only one bid received from Emmons, Fleming & Bienvenu, Inc., in the amount of $1,000. On a motion by Mr. Hart, seconded by Mr. Murphy, it was unanimously voted to request the Highway Superintendent to rebid and contact more than two engineering firms.

Req. from Rev. Dusek referred to Park Dept.

3. A communication was received from Gary A. Dusek, Pastor, First Baptist Church, requesting permission for a singing froup known as the Singing Travellers to put on a mini-concert on the Town Common June 5 or 6, 1973. On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to forward this request to the Park Department for their disposition.

Campanelli Inc. Deed signed.

4. A communication was received from Town Counsel informing the Selectmen that he has reviewed the Deed from Campanelli, Inc. and found the deed to be in proper order. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to accept the deed and sign the original deed.

SHARE, Inc. AGREEMENT signed.

5. A communication was received from John Ault, Exec. Dir., SHARE, which contained three copies of the AGREEMENT between the Town of Chelmsford and SHARE, Inc. for the provision of services as indicated for the period Jan. 1, 1973 through June 30, 1974. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unanimously voted to accept and sign the agreements.

Approve Rec. Comm. use of Town Grader.

6. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to approve the request of the Recreation Commission for the use of the town grader at the South Row site. This was referred to earlier when the Selectmen met with the Rec. Commission.

Approve Alt. Route Graniteville Rd. forward material to STATE.

7. A communication was received from the Police Chief Re: status on Graniteville Road statistics, 12 hour traffic count taken on May 8, 1973, a record of automobile accidents occuring on Graniteville Road for the years 1971 and 1972, four alternates routes by which these trucks may travel. The Police Department favors alt. route #1, as the other routes would only move the problem from Graniteville Road to another section of the Town. On a motion by Mr. Hart seconded by Mr. Murphy, it was unan. voted to accept the Police Chief's Alt. Route #1 and forward the information necessary, including material to explain why the traffic count is down so low, to the Mass. Dept. of Public Works for their approval. Mr. Hart included in his motion that the cover letter be approved by the Board of Selectmen.

Hearing Approved for R.M. Hicks - increase gas storage.

8. A request was received from Robert M. Hicks, 124 Main Street, Westford, for an increase of gasoline storage and addition of one 500 waste oil tank. The Fire Chief has given his approval to this request. Location - 272 Old Westford Road Chelmsford. On a motion by Mr. Lovering seconded by Mr. Lannan, it was unan.

voted to instruct the Administrative Assistant to set up a hearing.

9. A communication was received from V. J. Cantone, Traffic Engineer, which stated that a field investigation revealed that the intersections listed by the Town of Chelmsford met with the Dept. of Public Work;s warrants for STOP signs. Upon receipt of three signed, dated and attested copies of an amendment to Art. VII Sect. 34A, the permits will be issued. On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to sign the amendments to Article 7, Sect. 34A - Stop signs, and forward them to the State Department of Public Works.

Vote to sign STOP sign amendment and and forward to State Dept. of Public Works.

10. A communication was received from John T. Gaffney, Esquire re: Zesty Pizza. Mr. Gaffney was submitting a formal request for issuance of said license based upon all the evidence previously submitted to the Board. Mr. Markham asked that a hold be placed as he wanted to make a clarification on his part pertaining to the first paragraph of Mr. Gaffney's letter which had stated that at your meeting of May 8, 1973, T. F. Markham, Jr., Chairman, stated that no hearing was required for this type of a license. Mr. Markham stated that he wanted to clarify that his statement was misinterpreted as on this type of an application for a Common Victualer License, by law, no hearing is required, but Mr. Markham wanted to point out that he had always voted ror a hearing regarding the Common Victualer License for Zesty Pizza. Mr. Lovering stated hhat he did not subscribe to the habit of reviewing many of the past Board's decisions, but he felt a re-hearing should be held in this particular case. Mr. Lovering moved that the Selectmen instruct the Administrative Assistant to set up a rehearing. Mr. Murphy seconded this motion. Mr. Hart stated that this is going to establish a procedure for most anyone who gets turned down for a certain type of license to keep the door open and get their own way even though they were turned down by the licensing authority. We could be holding hearings on a monthly basis even a weekly basis, to see who gets what they want. This has been a hardsell tactic to get to this point. Mr. Lannan agreed with Mr. Hart and added that this Board is being coerced into a situation that we do not want. This man is not entitled to another hearing, he has forced this Board into another hearing. Mr. Hart stated that the former Board voted 4-1 against this license before the building was even open. If we really look into this, it is very poor procedure. Mr. Lannan stated that under the General Laws and statutes the Board of Selectmen makes the determination whether it is for the public good. Mr. Gaffney is telling us it is not the Board of Selectmen, it is the number of signatures. He has threatend legal ramifications, let him take the legal action. Mr. Lannan wanted to make it clear that the present Chairman voted in favor of the license when the original hearing was held. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to move the question. Mr. Lovering's motion to schedule a rehearing passed three in favor, Mr. Markham, Mr. Murphy, Mr. Lovering, two opposed. Mr. Hart and Mr. Lannan

Vote to set up rehearing re: Zesty Pizza.

Mr. Markham asked that a committee to investigate the use of motorized vehicles in the Town be added to the list of appointments to be made.

Committee to investigate motorized vehicles.

On a motion by Mr. Hart, it was unanimously voted to appoint Beatrice Beaubein, Peter Green, Carl Seidel, Frank Wojtas and Dr. Martin Gruber to the Kennel Building Committee.

Kennel Bldg. Committee.

On a motion by Mr. Murphy, it was unanimously voted to appoint Ray Adams, Everett Brown, Linda Cahill, Thomas Cobery, John Curley, Chris Pettee and re-appoint Joseph Dappal, Norman H. Douglas, Pennryn D. Fitts, Robert D. Hall, Mitchell A. Korbey, Jr., Anne E. Stratos and Jo Ann Weinert. On a motion by Mr. Hart, it was unanimously voted to appoint William R. Murphy as the Select-

Youth Center Study Committee Appointments men's Representative to the Youth Center Study Committee consists of 14 members.

On a motion by Mr. Hart, it was unanimously voted to appoint Victor Fetro as the representative from Precinct 2 on the Veteran's Emergency Fund Committee to replace John Emerson who has asked not to be reappointed to this committee.

Harry A. Foster, Jr., Youth Center Director

On a motion by Mr. Lannan seconded by Mr. Hart, it was voted four in favor, Mr. Lannan, Mr. Hart, Mr. Markham, Mr. Murphy to appoint Harry A. Foster, Jr., as the Youth Center Director from July 1, 1973 through June 30, 1974. Mr. Lovering abstained from voting.

Chelmsford-Westford Town Line.

Mr. Markham reported that both the Chelmsford and Westford Boards of Selectmen signed a letter which has been sent to the County Commissioners requesting that the Chelmsford-Westford line be allowed to remain as the stone bounds have indicated over the years. Mr. Markham stated that we will wait for Town Counsel's recommendations and proceed from there.

Special Mtg. Central Sq. Traffic

Mr. Markham announced that there would be a Special Meeting of the Board of Selectmen this Thursday, May 31, 1973, at 7:30 P.M. to discuss the traffic in Central Square and the TOPICS program.

New Business

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to instruct Mrs. Haines to inform all department heads and committees of the new rules adopted by the Board regarding correspondence. The rule is that all correspondence requiring the Board'a action, with the exception of emergency items, be received by the previous Thursday at 5:00 P.M. for action to be taken at the next Selectmen's Meeting.

Mr. Markham asked that a report be obtained from the Highway Superintendent as to what plans he has to resurface Golden Cove Road.

On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to adopt the following duties of the Town Kennel Committee, as proposed by Mr. Murphy, and communicate same to the Kennel Committee; 1. To study available facilities for purchase or lease within the town for the keeping of dogs in the custody of the Dog Officer and to report back on this matter to the Board of Selectmen by 30 September 1973. 2. To procure, if directed by the Board of Selectmen, plans and specifications for a new dog kennel and report back to the Board by November 30, 1973. 3. To continue the study of the Leash Law enforcement under the modified procedures and to bring back further recommendations and Warrant Articles, if necessary, to the Board of Selectmen by Nov. 30, 1973.

On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted that the Chairman appoint a subcommittee to do advance planning for the 1974 Town Meeting, to accept and coordinate suggestions from Town committees and citizens for improving the preparation for and the conduct of Town Meeting, to work with other Town committees to communicate more effectively with the voters, and to recommend dates for review processes where permissable.

Mr. Lannan moved to release the funds the Board impounded which the Town Meeting voted to spend on two pieces of Highway equipment. Mr. Hart seconded this motion. The motion passed four in favor, Mr. Lannan, Mr. Hart, Mr. Murphy, Mr. Lovering, one opposed, Mr. Markham. Mr. Markham stated he felt that this equipment was not justified. This article was placed in the Warrant because of the possible acceptance of the Charter which would have abolished the Tree Warden position making it necessary for the Highway Department to do this work. Many trees might not be able to be removed by the Highway Department because of their size. There are still too many questions for this expenditure.

Mr. Markham congratulated Mr. Jerry House, on behalf of the Board, on becoming the Editor of the Chelmsford Sentinel. He wished him the best of luck.

Meeting Adjourned

On a motion by Mr. Murphy seconded by Mr. Lovering, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 10:55 P.M.

For the Board of Selectmen,
by, Marion E. McCready

Special Meeting of the Board of Selectmen held May 31, 1973, commencing at 7:30 P.M.

Members present were: Mr. Markham, Mr. Hart, Mr. Lovering, Mr. Lannan and Mr. Murphy. Mr. Markham presided.

Many residents of the Central Square area and Bartlett Street also were present at the meeting.

Central Sq. Traffic Problem.

Mr. Markham stated this meeting was for the purpose of discussing the traffic problems in Central Squre; parking, traffic through Central Square, Central Square By-Pass, and the biggest problem is the four way intersection at, namely Routes 4, 110, 27, and 129 at Billerica Road. The one way traffic plan has been of great assistance and has helped the flow of traffic to some extent. Traffic lights have been discussed in the past; Police have been on duty, and other one way rotary patterns have been discussed but never tried out to any great extent. Mr. Markham stated that he felt that professional services of a Traffic Engineering Firm should be retained by the Town, and that sometime in the near future to have before a Town Meeting an article to get some dollars to support a Traffic Engineering Firm to help in this particular area. Mr. Markham felt the Town should not have to maintain the cost alone, but that the State should have an interest in this problem due to the fact of the four major arteries. Also many people from surrounding communities take one of these four routes to get to their destinations. Mr. Markham felt that we insist the State play a great role in at least supporting some kind of a solution.

Mr. Brad Emerson spoke as representative of the Businessmen's Association.

Mr. Markham then asked Mr. Brad Emerson if he would like to make some comments regarding the letter the Board had received. Mr. Emerson stated that he was representing the Businessmen's Association, and has been concerned about this problem for some time. Mr. Emerson stated he had attended the Businessmen's Association meeting before coming to this meeting, and that they are in complete accord with his sentiments, and asked that they be recorded as supporting the proposal as stated by Mr. Markham, that the Town, at its earliest convenience, when money might be made available, to hire a professional Traffic Engineer to make a survey of the entire area and all the related problems; such as stop signs, by passes, the four conrner intersection traffic lights, parking, etc. Mr. Emerson stated that as far back as twenty to twenty five years ago, the Board of Selectmen considered traffic lights at the four corner intersection. The Board wrote to the Department of Public Works for its consideration and permission. The DPW answered that they felt it was not the right thing to do. Mr. Emerson felt it is essential that an overall master plan considering all the problems be developed by professional people and where the Town, could, step by step, year by year, implement this plan. Mr. Emerson stated that he, and the Businessmen's Association strongly urge the Board of Selectmen, at the earliest possible date, to get funds for a complete survey and recommendations for implementation.

Mr. Stan Armstrong of Bartlett Street regarding the traffic on Bartlett Street. Motorists are not obeying do not enter signs and there is speeding on the street, children going down to get school buses, and to the Adams Library; trucks entering up Bartlett Street from the center would be hazardous with the trees. Mr. Markham stated that this was not the discussion tonight, but hopefully in the near future we will be discussing a plan relating to this. This evening the discussion will be restricted to the Central Square problem.

Mr. Stephen Wojcik spoke in agreement with Mr. Emerson's statements. He also stated he did not see the need for waiting for a Town Meeting, stating the Selectmen could implement this move from their own funds or emergency fund to hire an engineer or planner. Mr. Markham stated that he felt the Board would not wait until the next Town Meeting, and if the Board cared to pursue this further they would have a discussion with the Finance Committee in determining the funds, and also to pursue the matter of state funds, and also possible a Special Town Meeting, and also to ask the Board to almost immediately start soliciting some proposals from some engineering firms that might be interested in submitting proposals to primarily get a ball park figure on what the dollars might be. These type of dollars that it might need to take care of it. Mr. Markham also stated that there is a plan in the Topics program regarding Central Square, but he feels that it would just reroute the traffic and not solve the problem.

Mr. C. Richmond Page, stated that conditions in Central Square are at a critical point. He stated that at 6:15 P.M. traffic is backed up and down Boston Road past the Purity, as far as you can see. Mr. Page feels that it is a state problem. In the mornings there is a steady line of traffic of people going to work. Mr. Page feels that it is not Chelmsford people, but people coming from other areas. Mr. Page also stated that an Engineering firm coming in is the only solution, and being financed by the State, because state roads are involved.

Central Sq.
Traffic
Discussion

Mr. John Walsh of Bartlett Street agrees with Mr. Armstrong's feelings, and wants no further traffic on this street.

Mr. Steven Wojcik of the Planning Board stated that some of the money in their Master Plan proposal had something to do with traffic analysis and the study to be done. He suggested the Boards work with the same planner that probably we would get a better overall plan.

Mr. Murphy stated we have an analysis from the firm of Tibbits, Abott, McCarthy, Stratton, engineers and architects done by the state which includes a section on Central Square with a proposed cost of some $80,000.00, so professional people have already been working on the problem. We are in communication with the State asking them what other steps now to implement this program. It has three phases to it and Central Square is in the first phase of the program, and we are now in the process of figuring out how to get the money to proceed from that point.

Mr. Hart agreed with several of the people here tonight; we do need a professional to examine the problem and come up with a solution. The traffic problem is very serious, and something has to be done. If we did have a professional come in, he would probably be interested in holding meetings and have the Board tell him of the problems.

Mr. Lannan stated that since he has been on the Board, some seven years, there have been traffic problems in Central Square. With progress comes changes, and the changes have to be considered for the business people in Central Square. There has been a road block constantly when we want to make a change, and the road block is primarily that these are State number routes. A plan now should be submitted to the Department of Public Works for their approval. One of our biggest problems now is at Route 129 and Route 110. The Summer Street extension was implemented to alleviate the traffic. Tha State informed the Board that this was not a state road, and any changes would have to be done by the Town of Chelmsford. Police at various times have been directing traffic at the intersection. The Board had applied to the State to have traffic lights at the intersection, and the State asked that a traffic count be taken which was done, and the reply from the State was that enough people have not been killed to warrant traffic lights. Several years ago, as a result of Town Meeting, the Board of Selectmen established a committee to have a Central Square Study Committee, which would make certain recommendations; one being that we have an urban renewal project in Central Square. Mr. Lannan agreed that an Engineering firm come in and make recommendations but because they are state numbered routes in order to get any state funding we would have to go through different steps. Anything done in the area would have to have the approval of the Northern Middlesex Area Commission. Mr. Lannan said that Chelmsford pays into the NMAC and possibly they could aid in the study; also the Department of Community Affairs may be able to aid Chelmsford. At the present time, the Department of Public Works has a contract for $600,000.00 to study the traffic problem in the whole area. If the state does not give their approval to the plans then the money and plans would be lost. Mr. Lannan stated also that any changes may effect some homes and businesses. Mr. Lannan stated the only way to straighten out Central Square traffic problems is to implement something; have off street parking. An article was defeated regarding off street parking. Mr. Lannan also stated that sometime between now and the fall if there is a Special Town Meeting we could request a transfer from surplus funds for an enginnering plan.

Mr. Bohl of the Chelmsford Book Store stated we really need parking.

Mrs. Armstrong of Bartlett Street spoke regarding the Bartlett Street problem. Mr. Hart stated that it would be of no advantage to involve Bartlett Street in any type of a traffic pattern.

Mr. Emerson spoke regarding the parking problem in Central Square; a plan that the merchants will support would be a plan that would be close to their door; if the Town can find a site that would be convenient for all businessess.

Mr. Page mentioned the parking in back of the First Bank and Trust is ideal for parking and also the Harvey land.

Mr. Markham stated that sometime in the near future it is hoped to expand the parking lot in back of the Town Hall for Town Hall employees and also to alleviate some of the parking on the street.

Mr. Lannan made a motion to have the Chairman appoint a committee to consist of people from the Chelmsford Merchants' Association and the Businessmen's Association and that this committee work with a member of the Board of Selectmen and a member of the Finance Committee to determine the amount of monies that would be required for the engineering survey, and the means by which the money may be procurred, either from reserve funds, and come back to the Selectmen so an article may be prepared for Special Town Meeting. Mr. Hart seconded this motion. Mr. Murphy then asked about the size of the Committee to which Mr. Lannan answered that he did not put a size on the Committee but whatever the Chairman would require.

Central Square Traffic Discussion

Mr. Emerson made the statement to the Board that he felt that the Board of Selectmen in relegating this to another Committee were taking a step backwards. He feels the Board of Selectmen have the authority to prepare proper articles to engage a consultant, but to appoint a committee would hurt the cause instead of helping it. Mr. Lannan said the Selectmen do not spend as much time in Central Square as the merchants do, and that they should be involved with the plan.

Mr. Hart said this is a part-time Board and it has many other problems to handle besides the Central Square problem, and he felt that a full time engineer planner could get it done much quicker.

Mr. Lovering stated he felt Mr. Emerson's comments were accurate and he would support it, but felt that this Board has to dedicate itself to very extensive involvement in this problem, and feels the Board could work the problem. Mr. Lovering stated he would be willing to spend the time if the rest of the Board would also.

Mr. Murphy stated that he felt it is the Boards' responsibility.

A resident of Bartlett Street stated that he felt that one or two residents of the Central Square area should be included on this committee, who could possibly enlighten the engineer as to the conditions.

Mr. Lovering stated that by the Board handling this it would take the edge off it if it stayed with the Selectmen, and possibly people would pay more attention to the results, and feels that the Board could develop the preliminary specifications and solicit the proposal on its own.

Mr. Markham stated that after a firm has been appointed it would be appropriate for people in the square to work with the firm.

Mr. Lannan's motion was defeated with a vote of two in favor, Mr. Hart and Mr. Lannan, and three voting against, Mr. Markham, Mr. Murphy and Mr. Lovering.

Mr. Murphy then made a motion to have the Board undertake the study instead of a committee being appointed. Mr. Lovering seconded this motion. The motion included a date of no later than September 1st, for recommendations to be delivered. This motion passed with a three for and two against; opposing was Mr. Hart and Mr. Lannan.

Mr. Emerson then stated that in spite of the three to two vote he was sure of the Selectmen's unanimous support for the concern and interest in this problem.

Mr. Markham then commented on the signs on the Summer Street bypass. We do have correspondence from the Department of Public Works. Mr. Markham asked that members of the Board especially the two new members on the Board, review this correspondence and possibly at the next meeting we could make a decision as to whether to go on the erection of these signs.

Mr. Markham stated in regard to the Topics program; the Town is in receipt of a Topics plan, which came about as a result of a program sponsored by the Department of Public Works, where they will support a community in seeking assistance in solving some of their traffic and safety problems. The State financed this plan. Mr. Markham stated that the Board has communicated with the Department of Public Works asking them what steps have to be taken locally or in conjunction with the state to carry out this plan in part or in its entirety. The Board has not had a reply from the Department of Public Works. Mr. Markham then read the plan which is broken down into seventeen different projects.
Project 1: Comprehensive circulation system, estimated dollar value at $25,000.00. Low cost improvements can be made through out the town which can

provide a greater efficiency of traffic flow, mentioning certain streets in the Town such as Pine Hill Road, North Road, Steadman Street, Concord Road, and Acton Road.

Project 2: Street Lighting throughout the Town at an estimated dollar value at $250,000.00 Lighting should be upgraded along the following roads; Acton Road, Billerica Road, Boston Road, Chelmsford Street, Littleton Road, Steadman Street, Dalton Road and Concord Road.

Project 3: Route 3/Drum Hill Rotary, at an estimated dollar value at $70,000.00.

Project 4: Central Square System Project with a dollar value at $80,000.00. This is basically an overview of what you might say would be Phase 1 of a study, basically in making some changes in curb access along Chelmsford Street, Wilson Street, which they claim should require some geometric improvements in curbing. Also directional signals is a key fact in the proper flow of traffic, so therefore they are recommending some type of directional signaling in the Central Square area. Also pavement markings should be upgraded and maintained to provide lane use in designation of crosswalks.

Project 5: Chelmsford Street from Route 3 Interchange to Sunset Avenue, estimated dollar value at $70,000.00.

Project 6: Littleton Road/Hunt Road Intersection, estimated dollar value at $10,000.00.

Project 7: Chelmsford Street/Golden Cove Road/Steadman Street Intersection, estimated value at $25,000.00.

Project 8: Intersection 495 Ramps/North Road/Dalton Road, estimated dollar value at $15,000.00

Project 9: Tyngsboro Road/Middlesex Street/Groton Road/Princeton Street Intersection, estimated value at $40,000.00

Project 10: Graniteville Road/School Street Intersection, estimated value at $10,000.00.

Project 11: Princeton Street/North Road Intersection, estimated value at $50,000.00. (Princeton Blvd. area.)

Project 12: Billerica Road/Golden Cove Road/Turnpike Road Intersection, estimated value at $30,000.00.

Project 13: Acton Road/Maple Road/Proctor Road/Robin Hill Road Intersection, estimated value at $30,000.00.

Project 14: Concord Road/Boston Road Intersection, estimated value at $10,000.00.

Project 15: Westford Street/Old Westford Road Intersection, estimated value at $5,000.00.

Project 16: Fire Pre-emption Signals, estimated value at $30,000.00. Fire station signals throughout the town locating signals in front of fire stations.

Project 17: Basic Intersectional Improvements of other major intersections as Mill Road, Concord Road, Boston Road, Warren Avenue, estimated value at $55,000.00.

Mr. Markham then stated that sometime in the near future, after the Board hears from the State as to what the steps are that we have to do locally, the Board will have to address itself to establishing priorities on these particular projects that were mentioned. Once these priorities are established, then we would attempt to implement it and through working with the State attempt to find the necessary funds along with some local funds to carry out the different projects. Mr. Markham then said that Mr. Murphy has some slides highlighting these areas which can be discussed in detail.

Mr. Wojcik of the Planning Board suggested that the Planning Board and the Board of Selectmen meet and possibly come up with some kind of plan for Central Square. Mr. Markham then stated that some weeks ago the Board did agree to have meetings almost on a continuous basis.

Mr. Markham then made a motion to adjourn the meeting, seconded by Mr. Lannan. It was unanimously voted to adjourn the meeting at 9:30 P.M.

For the Board of Selectmen,
by, Joan E. Jangraw

Regular Meeting of the Board of Selectmen held June 11th, 1973, commencing at 7:30 P.M.

Members present

Members present were: Mr. Markham, Jr., Chairman, Mr. Murphy, Mr. Lannan, Mr. Hart, and Mr. Lovering. Mr. Markham presided.

Camp Paul Proclamation signed.

The Board of Selectmen signed a proclamation declaring Saturday, June 23rd, 1973 as Camp Paul Auction Day. The Auction, sponsored by the Jaycees and Jaycee-ettes will be for the benefit of the camp for the mentally retarded, and physically handicapped.

Discussion with Joseph O'Connel reg; Chelmsford Taxi Service

At 7:30 P.M. The Board of Selectmen had requested a meeting with Mr. Joseph O'Connel, owner of the Chelmsford Taxi Cab Service to discuss his taxi business in Chelmsford and also his location. Mr. O'Connel told the Board that he purchased the business from Mr. Murphy at 22 Central Square. He moved the business out of Chelmsford in 1971 and informed the Board in 1972 of his mailing address. Mr. Lannan stated that in his opinion Mr. O'Connel is not Chelmsford-based, to which Mr. O'Connel questioned if there was a law that he has to have a Chelmsford address. Mr. Markham asked Mr. O'Connel why he moved out of town, to which he answered that he was threatened by certain members of the Board and also the Police. He was told to move his cabs from parking in the Center. Mr. O'Connel then said he felt he should have been informed of Mr. Tanner starting a taxi business in town. Mr. Lannan told Mr. O'Connel that he was not before the Board for that reason. Mr. Lovering stated this Board is authorized by law to license only business as in Chelmsford and asked Mr. O'Connel how many cabs he has marked with Chelmsford on them. Mr. O'Connel stated that he has two cabs with Chelmsford on them which are licensed in Chelmsford; one unmarked car and four licensed for Billerica. Mr. Markham stated the Board is here to issue licenses based on application; they are not based on competition in the Town, which is why Mr. O'Connel's first request to appear before the board was denied. Mr. Hart told Mr. O'Connel that he is critical of this Board and the Police Department interference causing him to move his business from the Center. The traffic rules state taxies or businesses shall not park other than at a designated stand, and the Police were doing their job. Mr. Murphy stated that if the Town were going to allow taxi service, it would be advisable to have a taxi stand, and if someone wants a stand they shall apply for one. Mr. Lannan stated that at the time Mr. Murphy owned the taxi business, parking was for one hour in the Center. Mr. Markham asked the Board if they wanted to take any action on this at this time. Mr. Lannan made a motion to take this matter under advisement. The motion failed for lack of a second. Mr. Murphy stated he was satisfied with Mr. O'Connel's business.

At 8:00 P.M. the Board of Selectmen had a meeting scheduled with the Insurance Advisory Committee. Mr. Fiske of the Committee had asked for a postponment until July 9th, 1973. Mr. Welch, unaware of this change, was at this meeting. Mr. Markham stated that since Mr. Welch was at this meeting he could give the Board some information regarding bids on insurance, the future insurance of the Town, appointments and re-appointments to the committee, and to determine what the Insurance Advisory Committee is all about. This was the reason that the Board asked the Committee to meet with them. Mr. Murphy had some questions such as the procedures that the committee operates under; how you recommend awarding insurance to various companies. If anyone owns a business in town are they eligible to receive a portion of the premium? How is this done? Who is considered? How is the money broken down? Is the current plan a savings to the community? Was any consideration given to bidding the entire insurance package? How often does the Committee meet?What do they do? Mr. Welch then told the Board that the insurance for the Town has been established over a period of years. The property protection part of the insurance program is administered by the Insurance Company of North America who was the low bidder, and they have been the low bidder. When you have something like this it stays where it is until someone comes along and decides to beat the price, but it is not very often someone can beat the Insurance Company of North America. Workmen's Compensation has been put out to bid for the past two years, and was awarded to the low bidder. On Chapter 32B which is the portion of the town's insurance which covers the town employees Blue Cross/Blue Shield and Boston Mutual Life Insurance. For over the past eight or ten years Mr. Welch stated they have tried to get some other insurance company to send in a proposal, but when they hear what Blue Cross/Blue Shield rates are, they back off and do not come forth with any type of proposal, until this year, when a company came out with a quote; but Blue Cross/Blue Shield cut their rate which made their rate lower than the other company, in the opinion of the Insurance Committee. Mr. Murphy asked Mr. Welch the procedure for bidding. Mr. Welch stated they advertise in the Lowell Sun. Mr. Murphy asked Mr. Welch about anniversary dates all around the calendar on the policies, and if one wanted to change something, can they be packaged together, but the state will not allow workmen's compensation to be with anything else. All of your liability insurance, fire, windstorm and hail, vandilism are lumped together. There would be only four policies; Workmen's Compensation; Property Protection; Chapter 32B; Auto. Fire and Police accident policy is only written by Continental. Mr. Murphy then asked how premiums are delivered among the agents. Mr. Welch stated this is set up by the Board of Selectmen, with specific rules as - live in the Town; have office in the Town; been in insurance business five years. The underwriting agent usually gets the bulk of premium for he does all the work and the others share equally. These agents are added to or taken from the list by the Board of Selectmen. Mr. Murphy asked if a list of participants could be presented to the board and also where the money went regarding last year's premiums. Mr. Welch said he would ask Mr. Johnson for the information. Mr. Murphy asked how often the Committee meets to which Mr. Welch stated whenever needed. Mr. Murphy asked has the Committee ever contemplated the use of an Insurance Advisor. Mr. Welch said no, that they usually use the special agents of the company. They have access to so many people in companies that they can get answers to any problems that do come up. Mr. Murphy said he felt the minutes of the meeting should be recorded for the Board to see, including the results of decisions of bids and other decisions. Mr. Lovering asked if the cancellation provision in the policy was thirty days. Mr. Welch stated as far as BC/Bs is concerned, you can cancel at any time without any cost to the town. Mr. Welch said regarding 32B they didn't advertise for bids because so many different programs set forth by all companies on accident and health insurance that no two policies are alike. He stated if he was to write

Discussion
with Roger
Welch, Ins.
Advisory Comm.
reg; town insurance.

the specifications for 32B today, and he would write exactly the same as BC/BS. This coverage for the employees of the town is over and above the other coverages. Mr. Lannan said the Board did go out competitively at one time to replace BC/BS and got no bids. Mr. Lovering asked Mr. Welch, as Committee member why he could not write the specifications. Mr. Welch said he would write exactly as BC/BS and that there is no other company that they have access to that could even touch these rates. Mr. Lannan asked if you change from BC/BS to another company, would there be a possibility that those who are not covered by BC/BS would loose some of their benefits and have to start another waiting period. Mr. Welch said no. Mr. Markham said that one of the ways to make a determination on the coverage would be to have some kind of participation from the Town employees to determine what they want. Mr. Welch stated that the benefits for the employees of the town are set by the State. Mr. Murphy asked that Mr. Welch get a document regarding the disbursement of funds. Mr. Murphy asked Mr. Welch did the three members on the committee wish to continue on the committee. Mr. Welch answered that he would continue. Mr. Markham then referred to a letter received from the Insurance Advisory Committee on the group coverage stating that they feel that a change in carriers should not be made at this time and that they are quite confident that no other insurnace company can duplicate the present plan at comparable rates. Mr. Lovering did not agree with this, but felt that through competitive bidding the townspeople could be better served. Mr. Welch stated that they have the best program that the state would allow. Mr. Markham stated they could compare coverage not dollars. Mr. Welch said this coverage comparison has been done. Mr. Murphy asked what happens on July 1, 1973 if they do not stay with BC/BS. Mr. Welch stated you can stay with BC/BS as long as you want and can change any time you want. July 1, 1973 is the effective date of the rate. On Workmen's Compensation, if you cancel in "mid-stream" you are penalized your cancelled short rate. Mr. Lannan stated that if this Board under Chapter 32B goes out for competitive bid, that the specifications be written for nothing less than what our employees and towns people are covered by now. (Later in the meeting under discussion of the correspondence summary, Number 18, Mr. Hart made a motion to procede to advertise for bids, seconded by Mr. Murphy. It was voted unanimousely by the Board.)

Meeting with Crystal Lake Committee; Rep. Bruce Freeman and Sen. Ronald MacKenzie.

The Board then met with the Crystal Lake Committee, Mr. Edmund Polubinski, of the Committee, Rep. Bruce Freeman, Sen. Ronald MacKenzie. Mr. Donald Madden of the Flood Relief Board was unable to attend the meeting. Mr. Markham stated that this meeting was to further enlighten the people as to where we are going from here and other steps to be carried out toward the restoring of Crystal Lake. Mr. Freeman stated he had a letter from Mr. Madden that the Board would be receiving. It stated that the Flood Relief Board met and the following items were found to be reimbursable. 1. Dam Construction: 2. Emergency Spillway: 3. Cleaning of Lake Bottom. The latter also stated that the Board has not determined whether it shall reimburse for reconstruction of the controls of the mill canal, for the ownership of the Mill Canal was questioned, and they asked does the town own the canal? The letter stated the items not reimbursable are: 1. Reconstruction of the inlet control structure; 2. Construction of a trash rack; 3. Excavating and regrading of the lake bottom. The letter continued that the Board agreed to reimburse one-hundred percent, but the Board cautioned that it will not approve any legislative authorization. Mr. Hart asked if the fill was sold would it be deducted from the reimbursement? Rep. Freeman stated that it would not. Mr. Murphy asked about the reimbursement, to which Rep. Freeman stated that any expenses incurred by the Town will be helped. Rep. Freeman referred to the bond at the March meeting to cover and pay these things, and as they are paid then the state will reimburse. Rep. Freeman stated that the engineering firm draws up firm plans to be submitted to the Flood Relief Board, which in turn will submit that to the Division of Waterways. Any dam built in the Commonwealth has to have a permit from the Division of Waterways. Mr. Markham then asked regarding the lake bed, which the report talks about $50,000.00, can that be interpreted that they will pay up to $50,000.00.

Rep. Freeman told the Board a week from next Thursday at 9:30 A.M. Flood Relief Board would be in Chelmsford to look this situation over (regarding ownership of Mill Canal). Rep. Freeman stated that the Board has not yet determined whether it will reimburse for the reconstruction control of Mill Canal, and the question of ownership. Mr. Hart asked if the cost of the dam exceeded the $275,000.00 would it still go through, to which Rep. Freeman answered yes. Mr. Murphy asked what excavation is to be done. Mr. Hart stated they discussed the island, water circulation and where beach areas would be. Mr. Polubinski, Chairman of the Committee stated that they received a report from Fay, Spofford, and Thorndike in February in time for the Annual Town Meeting. It was voted at Town Meeting to authorize the town to borrow up to a million dollars to take care of this project. In hiring an engineering firm you pick out an adequate and confident firm. Mr. Polubinski also stated that a member of the Board of Selectmen suggested that they seek bids. On the 4th day of May all answers were back from engineering firms, but a meeting was not set up until a month later. After contacting several engineering firms, it was recommended to continue with Fay, Spofford and Thorndike. They spoke to an engineering firm regarding the restoration of the recreational areas. They have means available to get funds from the state for projects such as this. In regard to the island in the lake, it is about 1½ acres in size, was owned by a resident in Nabnassett who would like to receive $5,000.00 for the island. Regarding the depth of the lake; Fay, Spofford and Thorndike suggested a depth of 9 feet. There is 143,000 cubic yards of fill that has to be excavated to obtain this depth. Of this, 40,000 cubic yards will be used for the dam, which leaves 100,000 cubic yards of fill left. Mr. Hart's article to sell this was approved by Town Meeting. Mr. Polubinski stated that they would not get the final working plans and the Committee suggested Fay, Spofford and Thorndike. Mr. Hart stated that he felt what the committee agreed on, was that Fay, Spofford and Thorndike would oversee any final proposals that we had, and for a certain sum of money study this proposal and see that the job was done correctly. Mr. Hart doesn't feel the committee voted to give them the final shot. Mr. Hart feels that it should be sent out for bid. Rep. Freeman stated that the Flood Relief Board was very much impressed with the report submitted by Fay, Spofford, and Thorndike. Mr. Murphy stated that at Town Meeting it was stated that only money be spent that would be reimbursed by the state, and based on our presentation at Town Meeting, the next contract for detail work can include no more than items 1, 2, and 3 and any plan to hire an engineering firm for anything else we must go back to Town Meeting for items 4 through 7. Rep. Freeman stated that the Town should do what the State would reimburse them for; build the dam and clear the lake bottom. Mr. Lannan stated that nothing will be done until the first step is taken and plans for the dam should be drawn up. Mr. Polubinski stated that if the depth goes deeper than than the nine feet new plans for the dam will have to be drawn. The cost of this dam was estimated at a nine feet depth. Mr. Lovering stated he felt the Board could approve items 1, 2, and 3 with another standard that we are going to keep 9 feet. Mr. Bienvenu who attended the meeting stated that he suggested the Town take that island 2½ years ago, and that the 17,000 square feet of land is unusable. He also stated the island plays a certain part in the circulation and depth of the lake. Mr. Hart stated you would have to hold a special Town Meeting to approve items 4, 5, 6, and 7; having a total package. No money can be spent on 4 through 7 without Town meeting approval, as they are not included in the reimbursement, and we should have the whole package together for the engineering firm to develop their final plans. Mr. Lannan said he disagreed with Mr. Hart, and felt that if we went ahead with what the state said they would pay for, we would have a lake in North Chelmsford. Mr. Polubinski stated that it takes about six months for this plan. After the six months, all you have is the final plan then it will go out to bid. Mr. Lovering stated he would make a motion to have the board take some type of action to move forth on items 1, 2, and 3 and if we have a Phase 2 problem, we can discuss Phase 2. Mr. Hart stated he would go along with this if the Board would schedule a Special Town Meeting to approve items 4 through 7.

Mr. Hart stated approval of a total package would be much better, items one through 7. Mr. Lovering agreed with Mr. Hart in a separate motion. Sen. Mackenzie said the state had offered to pay for all it could and he urged them to implement this phase, and that it would be impossible to go back to Town Meeting if they didn't start on items 1, 2 and 3. Mr. Hart stated it would be unfair to the people if they had to vote on the last tiems because of the first three; have a whole package deal to work with. Mr. Lovering said he would like to make a motion, but first, he would like to explain that motion. A motion to attempt to authorize the initiation of Items 1, 2, and 3 as contained in the report, however he would like to temper that motion by referring to the report of Fay, Spofford and Thorndike which says that the Town should authorize the necessary funds for the preparation of contract documents for the solicitation of bids for the reconstruction and construction itself. He stated although we are supporting the items in total, we are suggesting that this particular authorization to the committee consist of the preparation of the documents for solicitation. Mr. Hart said he would agree that after this was voted on, if we could have the vote to hold a Special Town Meeting to approve the last four items. Mr. Lovering stated that his motion is for the Board of Selectmen authorize initiation of 1, 2, and 3 in the report with the understanding that the authorization is for the preparation of contract documents for the solicitation of bids for the reconstruction and construction itself. Mr. Lannan seconded this motion. Mr. Murphy said he would amend the motion to take in the 9 foot depth of the lake. Mr. Lovering stated he would amend his motion to add that the level of the lake be a depth of 9 feet. The Board voted unanimously on this motion. Mr. Hart made a motion to hold a Special Town Meeting in September to approve articles 4 through 7, and if possible to be done at that time an article to take the island. Mr. Lannan asked Mr. Hart, didn't the meeting already give the Board of Selectmen authorization for excavation and regrading the lake bottom. Mr. Hart felt that this should be included. Mr. Lannan stated he will go along with the motion to the effect that the Crystal Lake Committee appoint a sub-committee for whatever has to be done; get appraisals on island. Mr. Clement McCarthy, Town Counsel suggested that the meeting be held in North Chelmsford. Mr. Murphy seconded this motion with a unanimous vote of the board. Rep. Freeman then told the Board that with his conversation with the Flood Relief Board, they made it very clear that any documents or letters sent from the Town to them bear the signatures of the elected officials of the town. The members of the Crystal Lake Committee who were present were: Mr. Edmund Polubinski, Chairman; Mr. James Kasiłowski, Secretary; Mr. Heywood Neild. Mr. Markham then asked the Committee to get back to the Board, either in writing or at another meeting regarding their recommendations, etc. The Crystal Lake Committee is to prepare the contract for the next phase of the engineering work. Regarding the minutes of May 16th, 1973 and May 29, 1973, Mr. Lovering made a motion to accept May 16th, seconded by Mr. Hart. So voted unanimously the May 29th minutes were accepted by Mr. Murphy seconded by Mr. Hart, so voted unanimously.

Minutes
accepted

Discussion reg;
East Chelmsford
Water District

Mr. Lannan asked that the East Chelmsford Water situation be rescheduled as an agenda item for June 25th, 1973 at 8:00 pm. Mr. Lannan stated he has received numerous calls and complaints regarding the water situation. Mr. Lannan stated that in June 1970 at Town Meeting, an article came up for vote to see if the Town will vote to assume the obligation and assets of the various water districts within its boundaries, namely, Chelmsford Water District; South Chelmsford Water District; East Chelmsford Water District; North Chelmsford Water District in order to consolidate the towns water system. Mr. Lannan stated he feels that the only way the East Chelmsford water can be cleared up is if the East Chelmsford Water District is consolidated with the Chelmsford Water District. Mr. Markham then stated he would vote on a motion to ask Town Counsel to advise the Board what has to be done. Mr. Markham stated he feels certain legislation has to take place. Mr. Markham then stated that a letter to Town Counsel asking steps to be taken; advise the Board steps necessary to consolidate Town Water Districts into a single district or a municipal district, with or without their approval. Mr. Murphy seconded this motion, so voted unanimously by the Board.

Mr. Murphy then spoke regarding Houee Bill 3201: The Board received a letter from the Massachusetts League of Cities and Towns suggesting we write to our representative regarding bill 3201; petition to make corrective changes in the law relative to allocation of funds to cities and towns from the highway fund. Mr. Murphy stated that last year when the changes were made, many communities were allowed to benefit by errors in the law. Our community was not one to benefit. This change in the law is to correct this, and eliminate the error last year.

House Bill
3201 discussio

Summary of the correspondence was now discussed.
1. Resignation of Bernice L. Lewis, Clerk Typist under the EEA was accepted by Board. Letter of appreciation is to be forwarded to Mrs. Lewis. Mr. Lovering made motion to accept resignation, seconded by Mr. Murphy, so voted unanimously.
2. The Honor Roll Committee informed the Board that the only unit in their care is the Honor Roll on the Center Common. With the combined efforts of the firemen, they put up flags on all occasions.
3. A report from Mr. Roland E. Morin, Chairman of the Committee to update Town History stated Miss Eleanor Parkhurst has been engaged by the committee to prepare a history of Chelmsford. Mr. Lannan suggested to appoint Eleanor Parkhurst to the Committee to Update Town History. Mr. Markham stated that she has been retained for this report. Mr. Lannan made a motion to ask the Committee for a status report regarding funds; such as money needed for the printing of this report; and with a balance of $1800.00 are they going to require further funds. Mr. Murphy seconded this motion with a unanimous vote of the Board.
4. Letter from Chief Germann stating Police Deaprtment surveyed the area of Tollcross Road regarding a request from Mr. J. D. Wheeler to have a no-parking sign posted. It was recommended a sign is not needed for this area. Mr. Lovering moved to accept the Police Departments' recommendations, seconded by Mr. Murphy, so voted unanimously.
5. Letter from Mr. Charles Collatos, Commissioner of Veterans Services stating the approval of the temporary appointment of Mr. Joseph Dowd until July 1, 1973 as Interim Veterans Agent, with the understanding that Chelmsford is moving towards a full-time agency in accordance with the provisions of Chapter 471 of the Acts of 1972. Mr. Lannan made a motion to write to Mr. Charles Collatos, and ask for an extension from July 1, 1973 based on the fact that Chelmsford's Veterans Agent is a part-time job, and that we are going for a full-time position, and probably that a job description is necessary to permit transfer from Reserve Funds by the Finance Committee; not only the administrative work that has to be done but permission for an extension to September. Mr. Murphy seconded this motion, with a unanimous vote of the Board.
6. Request from M. Slom, c/o J. M. Fields for Loud Speaker permit to operate an animal exhibit on the Fields Parking Lot from June 5th through June 15th 1973 from 11:00 AM to 10:00 PM. Mr. Hart stated he is opposed to the issuing a permit. Mr. Lannan moved to write them a letter stating they are in violation of the law by using the loudspeaker without permission. Send J. M. Fields letter that their application for a permit is denied, and inform them the reason for denial that the application for the permit came in on the date they were using the outdoor speaker, and they continued to use the speaker without a permit. Mr. Hart seconded this motion, voted unanimously. Mr. Lovering moved to adjourn the meeting. Mr. Hart moved to adjourn after correspondence is finished. Mr. Lannan seconded this motion. Mr. Lovering stated he would like to amend this

Summary of
Correspondence of meeting.

motion that in the event that at midnight if the correspondence is not completed we adjourn. The vote stood at four in favor, with one opposing. Mr. Hart, Mr. Lovering, Mr. Lannan and Mr. Murphy voted for; Mr. Markham opposing.

7. A request for a new Auctioners License for Mr. Michael E. Riney was voted upon by the Board. Mr. Lovering made the motion to issue this license with Mr. Murphy seconding. A unanimous vote followed.

8. A letter from Jeremiah Casey Right of Way Agent of the New England Telephone request the continuation of the Public Hearing opened on April 18, 1973 for conduit locations on Tyngsboro Road. The Selectmen will schedule a hearing but it will be listed as a new hearing. Mr. Lovering made the motion seconded by Mr. Murphy, with a unanimous vote for a new hearing.

9. A letter received from Mr. Rondeau, Highway Supt., stating repairs on Fletcher Street have been completed by the New England Tel. & Tel. contractors, and the repairs have been approved by the Highway Supt. Mr. Murphy agreed that the repairs on Fletcher Street are completed but the repairs along Chelmsford Street from the Little League field going toward Dunkin Donut be repaired completely. Mr. Hart stated that New England Tel. not be allowed to start another job until the job they are working on is completed. Mr. Markham stated that the Board instruct the Highway Superintendent to provide in the future to each applicant the regulations which are available, which are adopted by the Town for the purpose of opening up the streets.

10. A request from the Board of Health asking the Board seek permission from the Middlesex County Commissioners to utilize an area of land in the rear of the Middlesex Training School as a possible sewage dumping area for disposal of liquid waste from local pumpers. Mr. Lovering suggested that before the Board acts upon anything, that the Board of Health meet with the Board of Selectmen to discuss this problem. Mr. Hart made a motion that the Board of Selectmen send a letter to the Board of Health stating the Selectmen are opposed to this plan, and ask if they wish to pursue it further, to come in and meet with them. Mr. Murphy seconded the motion with a unanimous vote of the board.

11. Chief Reid reported that the new 1973 4-dorr sedan for the Fire Department was received and the vehicle meets all specifications and has been accepted by the Fire Department. Mr. Lovering made the motion to accept this, seconded by Mr. Murphy with a unanimous vote of the Board.

12. Chief Reid request the Board to dispose of the following pieces of fire apparatus in conformance with Article 53 of 1973 Town meeting; one 1934 Dodge Fire Truck; one 1958 Chevrolet Rescue Truck. Recommendations are to refer to Purchasing Agent and Town Accountant in accordance with previous vote by the Board. Mr. Lannan made the motion to accept this, seconded by Mr. Hart, with a unanimous vote of the Board.

13. A request from Mr. Armand Trombi, Post Commander of the American Legion requesting that consideration be given to the A.W. Vinal Post 313 to obtain the 1934 Dodge Fire Truck. The Legion will maintain and preserve this vehicle as a historical piece of equipment. It was recommended this be referred to the Purchasing Agent and Town Accountant in accordance with previous vote of the Board.

14. Request from Chief Reid to advertise for bids for the following: 1,000 ft. of three inch dacron filler strand, double jacket, rubber lined, wax and gum treated fire hose; Seven 900000-01 Scott thirty minute air mask, complete without carrying cases, or approved equal; One high pressure compressor. The funds for the above are in the Fire Department Outlay Account. It was recommended to forward letter to Purchasing Agent for him to obtain specifications from Fire Chief and advertise for bids. Mr. Lannan motioned to accept this second by Mr. Hart, voted unanimously by Board.

15. Mr. Matthew Doyle requesting permission to utilize the services of Town Counsel as there will be a joint meeting of the Environmental Protection Agency and the Mass. Dept. of Natural Resources, and the Sewer Commission may be required to offer certain opinions. Mr. Lovering requested that the Sewer Commission write to the Board of Selectmen of the results of that meeting. Mr. Lannan made the motion to accept this, seconded by Mr. Hart, voted unanimously by the Board.

16. Mr. George Parkhurst requested permission as Chairman of the Bicentennial Comm., to meet officially with the representatives of the Town Insurance Advisory Board to learn exactly what kind of insurance coverage the Town has, what could be had, and what they would recommend in connection with the Bicentennial activities. Mr. Lannan made the motion to accept this, seconded by Mr. Hart, voted unanimously by the Board.

17. A request from Mr. & Mrs. David Salvini, Jr., Worthen Realty Company, Lincoln, Mass., for permission to install sign at the corner of Worthen Street and North Road to read "Magnolia Arms Apts." Mr. Markham stated this should go to the Building Inspector to determine if it would be on Town property. Mr. Lovering made the motion to send a letter to the Building Inspector with the re-establishing of town policy concerning no signs on Town property and if it is on their property to meet the zoning laws. Mr. Hart seconded this motion, with a unanimous vote of the Board.

18. Letter from Mr. Roger Welch, Chairman of the Insurance Advisory Committee regarding proposal for Group Insurance Benefits under Chapter 32B as submitted by the N.E. Group Trust. The Committee feels that a change in carriers should not be made at this time, and they ask the Board if they desire to call for bids. Mr. Hart made the motion to procede to advertise for bids, seconded by Mr. Murphy. with a unanimous vote of the Board.

19. Letter from Mr. Donald S. MacNaughton, National Chairman United Nations Day 1973 stating that on Oct. 2 th will mark the 28th anniversary of the United Nations. He is requesting that a distinguished citizen of this community be appointed to serve as local UN Day Chairman for 1973. Mr. Markham made a motion to contact the Social Study Chairman of the High School to see if anyone would like to serve in this capacity, and also to further solicit publicity from Town's people before making an appointment. Mr. Hart seconded this motion, with a unanimous vote from the Board.

20. Letter from Mr. Olson, Purchasing Agent regarding bids received for Bituminus materials; gravel; crushed stone; pipe for drainage purposes; catch basin frames, covers and blocks. Mr. Olson stated since items required are innate and must meet state specifications, the acceptance of the low bid would seem desirable, unless the vendor has not performed satisfactorily in the past. The recommendation is made to purchase the required products from two vendors: Trimount Bituminous Products, Inc., and Mystic Bituminous Products, Co., Inc. Mr Lovering made the motion to approve Mr. Olson's recommendations and advise him to award bids; seconded by Mr. Lannan, voted unanimously by the Board.

21. Letter from Alcholic Beverages Control Commission regarding the interpretation of Chapter 140, Section 183D: no admission charge to general premises of any licensee; Commission will permit posting of cover charge only when it relates to a specific room or rooms in the licensed premises; Commission will not permit charging of a minimum charge; The Chairman's recommendations were to notify by mail the licensees of the Interpretation of Chapter 140, Sec. 183D and to forward a copy to Police Chief. Mr. Hart made a motion to accept these recommendations, seconded by Mr. Lannan, so voted unanimously by the Board.

22. Mr. James T. Curtis , representative of Haverhill Shopping City Realty Trust advised the Board they cannot respond to their request in the time limit of ten days. They state they will have their reply in the Selectmen's office on or before 5:00 P.M. on June 21st, 1973. Mr. Lovering moved to accept the date as June 21, 1973 for their reply. The motion seconded by Mr. Lannan, voted unanimously by the Board.

23. Letter from Sen.MacKenzie regarding reduction in Regional School District Aid, with enclosure of copy of House Bill 6645. Se. MacKenzie states he is not in favor of this bill. Mr. Markham suggested the Board review this bill, and place it on the agenda. Mr. Murphy asked to place it on the agenda for the June 25th meeting, seconded by Mr. Lovering, voted unanimous by Board.

Regarding Items #24, #25, #26, and # 27. Mr. Murphy moved to accept these four items. Hearing no second to this, Mr. Hart suggested that a hold be placed on these four items to be discussed at the next meeting, June 25th. A motion was made to table these four items by Mr. Hart, seconded by Mr. Lannan, voted unanimously by the Board.

Mr. Lannan made the motion to adjourn the meeting, seconded by Mr. Hart. The meeting adjourned at 11:25 P.M. with a unanimous vote of the Board.

For the Board of Selectmen,
by, Joan E. Janpaw

Regular Meeting of the Board of Selectmen held July 16, 1973.

Members present

Members present: Mr. Markham, Mr. Lovering, Mr. Murphy, Mr. Hart, Mr. Lannan. Mrs. Haines was also present. Mr. Markham, Chariman, called the meeting to order at 7:30 P.M.

Proclamation Religious Emphasis Week

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to sign the Proclamation submitted by Mr. Lloyd Cain, representing the Church of Christ, and adopt the Proclamation for "Religious Emphasis Week", August 4th through August 11th, 1973.

N.E. Tel. - Underground Conduit

Hearing - Petition by New England Tel. to install 205' of underground conduit on Tyngsboro Road. Mr. Jerimiah Casey represented N.E. T&T. On a motion by Mr. Lovering seconded by Mr. Lannan, it was voted three in favor, Mr. Markham, Mr. Lovering, Mr. Lannan, two opposed, Mr. Murphy and Mr. Hart, to grant permission for the underground conduit installation, and if it has been installed, ratify it.

Conservation Commission - Cease and Desist Orders

A meeting was held with John Balco, Russ Howe and Janet Lombard, Conservation Comm. members, to discuss Cease and Desist Orders. Mr. Balco informed the Selectmen of the new Wetlands Protection Act which became effective Oct. 7, and the procedures which the Cons. Comm. have established. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to authorize the Cons. Comm. to contact Town Counsel regarding the Johanansen matter. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to authorize the Cons. Comm. to meet with Town Counsel for the purpose of developing procedures concerning authorization of Cease and Desist orders. On a motion by Mr. Lovering seconded by Mr. Lannan, it was unanimously voted to authorize the Cons. Comm. to contact Town Counsel regarding Mr. William Swanton. The Board of Selectmen commended the Cons. Comm. for the job they are doing for the Town of Chelmsford. Mr. Balco also informed the Board of Selectmen of the Agreement regarding Lot 12, Eugenie Terrace, owned by Mrs. Cormier.

Hearing- Aetna Cartage Company

A public hearing was held on the Application for License by Atty. James Geary for Aetna Cartage Co., Progress Ave; for the storage of one (1) 20,000 gallon underground tank for diesel fuel; one (1) 1,000 gallon underground waste oil and one (1) 4,000 gallons of motor oil, anitfreeze and like inflammables (aboveground). James M. Geary, Esquire, represented Aetna Cartage Company. Mr. Geary stated that 33 abutters were notified, 25 Return Receipts were received . Mr. Geary stated that he met with Mr. Michael Terrazzano to discuss any alternative arrangements for the location of the tanks on the Aetna Cartage Co. property. Mr. Terrazzano stated that the abutters were opposed to having this type of a development in the area. The following wished to be recorded as opposed to this license being granted: Michael Terrazzano, Lee Sharer, Beatrice Freeman, Walda Suchariski, George Shaw, Robert Higgins, Charlotte Stayman, Ernest Freeman, James Durkin, Adolph Suchariski, all residents of

Regular Meeting of the Board of Selectmen Held June 25, 1973.

Members present

Members present were: Mr. Markham, Chairman, Mr. Lovering, Mr. Murphy, Mr. Hart and Mr. Lannan. Mrs. Haines was also present. Mr. Markham called the meeting to order at 7:30 P.M.

Discussion on Proclamation - Religious Emphasis Week

A proclamation was received from Lloyd Cain Church of Christ for the Board's signatures and endorsement. On a motion by Mr. Murphy seconded by Mr. Lovering it was unan. voted to discuss the proclamation. Mr. Murphy stated that this proclamation was for Christian denomimations only. He informed Mr. Cain and the Board that the Interfaith Assoc. in the community has gone to great lengths to make sure that all their discussions on the churches involved every church. He stated that he personally could not sign any proclamation that would be restricted to Christian denominations. Mr. Lannan moved to sign the proclamation proclaiming Aug. 4-11 Religious Emphasis Week. Mr. Hart seconded the motion. After a discussion, Mr. Lannan moved to table his motion in favor of taking action on this proclamation at the next regular meeting of the Board. Mr. Lovering seconded this motion. The motion passed unanimously.

Hick's gasoline storage application withdrawn

A hearing was scheduled for 7:30 P.M. on the application of Robert M. Hicks for an increase in gasoline storage at 272 Old Westford Rd. The Board received a communication from James M. Geary Esquire that Mr. Hick's wished to withdraw his application. Mr. Geary informed the Board that he had sent a copy of this letter to all the abutters to inform them of the withdrawal of this application. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to allow the petitioner to withdraw his application and in the communication that it be noted that the Selectmen in allowing this petition to be withdrawn passed no judgment on his comments concerning the reasons why the petition is being withdrawn.

Vote to discuss Aetna Cartage Co & Cormier Constr items

Mr. Geary asked that he might be recognized at this time regarding the Aetna Cartage Company applications, both the new one and the amended application. On a motion by Mr. Lovering seconded by Mr. Hart, it was unan. voted to waive the rules and hear briefly the Aetna Cartage item and the Cormier Construction item restricting each to seven minutes each. Mr. Lannan moved not to take action on the amended application. Mr. Hart seconded this motion. The motion passed unan. This was in accordance with the motion made May 29, 1973, that a new application must be submitted to the Board. On a motion by Mr. Lannan seconded by Mr. Murphy, it was unan. voted to set up a new hearing for the Aetna Cartage Co. The Board agreed to hold this new hearing as soon as possible.

Discussion re: Eugenie Terrace

The Selectmen met with Atty. Carragher, who represented Chris Stavros, 3 Eugenie Terrace regarding a development underway in the Brian Rd./Eugenie Terrace area. Mr. Stavros and other area residents were present at this meeting. John Balco, Cons. Comm. was also in attendance. Mr. Stavros claimed that Mrs. Cormier cemented up pipes and this has created a problem of hydraulic pressure which at this point has somewhat damaged his home. There is also immediate concern that gas lines might be fractured. Also Mrs. Cormier the developer was filling in Lots 9 and 12 on Eugenie Terrace. Mr. Carragher advised the Selectmen that these lots may fall under the Wetlands Protection Act. All the drainage in the entire area flows through Lots 9 and 12. Mr. Geary, representing Mrs. Cormier, stated that he represented Mrs. Cormier at a meeting of the Bd. of Health and a permit was issued by the Bd. of Health for Lot 12. Mrs. Cormier informed Mr. Geary that she had contacted the Bd. of Health and received permission to plug up the pipes to stop the discharge of sewage on her property. After a discussion with all concerned, Mr. Lovering stated that it should be decided whether this issue falls under the jurisdiction of the Cons. Comm., Bldg. Insp. or Bd. of Health. He stated that this Board should go on record requesting that these

three have a meeting to discuss the situation and review the facts and determine the next course of action. On a motion by Mr. Lovering, seconded by Mr. Hart it was unan. voted to request the Town Counsel to obtain an injunction to prevent any further activity on Lots 9 and 12, Eugenie Terrace, owned by Mrs. Veronica Cormier, 7 Tadmuck Road, Chelmsford ,Mass. pending a meeting between the Cons. Comm., Planning Board, Bd. of Health and Bldg. Insp. to determine any necessary and appropriate action by the Town. The request for an injunction would be waived in the event that Attorney Geary's client, Mrs. Cormier, agrees in writing to voluntarly cease and desist before 5:00 P.M., June 26, 1973. This meeting between the Cons. Comm., Plan. Bd., Bd. of Health and Bldg. Insp. to be held within the next two weeks. The Board also agreed to request the Bldg. Insp. and the Highway Supt. immediately inspect the drains on Eugenie Terrace at approximately Lots 9 and 12 and report their findings and recommendations to the Selectmen's Office as soon as possible.

Eugenie Ter.
(continued)

The Bd. has been informed by the Purch. Agent that no bids have been received for Medical Group Insurance for Employees. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to instruct the Purchasing Agent to advertise for bids for proposals on the Medical Group Ins. for Town Employees in the three local papers and also in the Boston newspapers.

Vote to
advertise for
bids - Med.
Group Ins.

The Selectmen met with John T. Gaffney, Esquire, representing Palmont Corp. who were requesting a Common Victualer License. Mr. Palmer President of Palmont Corp. was also present. Atty. Gaffney presented new information to the Selectmen and petitions from area residents. At the conclusion, Mr. Gaffney stated that there is a great public interest and it would be in the public good for the Bd. to grant this license. This would allow the restaurant to open on Sunday and have seating for the patrons. Several residents of Chelms. spoke in favor of granting this license. The present hours for Zesty Pizza are from 11:00 A.M. to 11:00 P.M. Monday through Saturday. If the license is granted the Sunday hours will be from 1:00 P.M. to 11:00 P.M. A discussion followed. Mr. Lovering moved that the Board grant the Common Victualer License to Palmont Corporation d/b/a Zesty Pizza. Mr. Murphy seconded this motion. The motion passed three in favor, Mr. Markham, Mr. Lovering, Mr. Murphy, two opposed, Mr. Lannan, Mr. Hart.

Vote to grant
CVL to Palmont
Corp. d/b/a
Zesty Pizza

On a motion by Mr. Murphy seconded by Mr. Hart, it was unan. voted to adopt the minutes of meetings held April 18, 1973, April 24, 1973, May 10, 1973 and May 31, 1973. Mr. Murphy asked that a hold be placed on the minutes of meeting held May 21, 1973 until corrections were made.

Vote to adopt
minutes of
meetings

Mr. Murphy asked that a hold be placed on discussing House Bill 3201 until he receives further information.

In regard to Item 23 (June 11, 1973 Summary) and Item 33 of this week's Summary, re: legislative Bill H-6645, Mr. Murphy moved that the Bd. of Selectmen oppose this bill and communicate this vote to the School Committee. Also, forward letters to Rep. Freeman, Rep. Shea and Rep. Rourke and Sen. MacKenzie requesting that they take whatever action is necessary to defeat this bill to reduce regional school aid. Mr. Hart sec onded this motion. The motion passed unanimously.

Vote on
H-6645, Reg.
School Aid
Reduction

Mr. Murphy presented an amended report on the State House of Reps. Redistricting. He informed the Board that he had talked with Rep. Freeman and Rep. Freeman stated that he would submit the amendment as proposed by the Chelms. Bd. of Selectmen. The Redistricting Bill was signed by the Governor on May 31st and is Chap. 326 of the Acts of the 1973 Legislature due to take effect upon its passage. In light of the above Mr. Murphy moved that the Board communicate their displeasure (Mr. Lovering amended the motion from displeasure

Redistricting

Redistrict. (continued)

to concern) to Rep. Freeman that the Chelms. Amendment was not filed. Mr. Lovering seconded this motion. The motion passed unan. The Bd. agreed to include in a letter to Rep. Freeman that they would like to discuss his failure to submit the amendment at their meeting July 30, 1973. On a motion by Mr. Murphy seconded by Mr. Hart, it was unan. voted to invite our new Representatives, Mr. Shea and Mr. Rourke, with Mr. Freeman as well, to meet with the Chelms. Board of Selectmen and discuss their proper introduction to their constituents, development of communication channels and assistance the Board might offer them in serving the citizens of Chelms.

Solicit Bids for Gasoline Tanks

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to authorize the Purch. Agent to solicit firm bids for the installation of additional tanks at the Highway Garage.

Report on Tour of Crystal Lake area

Mr. Markham and Mr. Hart presented a report to the Board regarding a meeting and tour of the Crystal Lake area on 6/21/73. Those present included: representatives of the State Flood Relief Bd., Rep. Freeman, Rep. MacKenzie, Mr. Madden, members of the Division of Waterways, [illegible] Gordon McGill, Director of the Bureau of Accounts. On a motion by Mr. Hart seconded by Mr. Murphy, it was unan. voted to communicate with Fay, Spofford & Thorndiketo ask them to further explain the need for the reconstruction of the inlet control structure, to further explain the effect that the inlet control structure may have and may not have on the future of the lake bed. (It was stated that reconstruction of the inlet control structure may not be necessary since they are proposing an emergency spillway. If Fay, Spofford & Thorndike could substantiate the need, the Town could ask the Flood Relief Bd. to consider and put this reconstruction in a reimbursable catagory.) Request Town Counsel to determine the ownership of the land in and around the inlet control structure, determine and place in writing the ownership of the water rights to the inlet control structure. (From a visual observation of the culverts, they needed to be cleaned out.) Communicate with the railroad and request that they clean out the culverts as they appeared to be blocked. Comm. with the Division of Waterways requesting that they take action against the railroad to get the culverts cleaned out. Communicate with F,S&T. as to whether or not the actual dam would have to be changed or increased if the Town were to dig the level of the lake deeper. The deeper the lake, the less chance of it being polluted. Also, communicate with F,S&T on behalf of the Town that they communicate with the Div. of Waterways as there appears to be a difference of engineering opinions. Advertise for proposals for design and removal of fill from the lake bed immediately. The deadline should be the middle of August so that the Board would have a few weeks to study these proposals before the Special Town Meeting in Sept. Mr. Hart's motion passed unanimously. Mr. Lovering asked that the motion include that advertisements for bids be in the Boston papers. Mr. Hart also added to his motion that a written narrative description would be in the specifications. The motion was so voted.

Report on Liquor I.D. Cards

Mrs. Haines presented the Board with a written report re: Liquor Purchase Identification Cards. The A.B.C.C. has informed Mrs. Haines that the Licensing Authority may delegate their authority to the Town Clerk to issue the Liquor I.D. cards. Presently, the Town Clerk is issuing these cards. Mrs. Haines recommended that the Board formally communicate with the Town Clerk and ask if she will continue to issue these I.D. cards. She also recommended

Award Bid

14. Vote to award bid to Nat'l. Unlimited Business Systems Inc. in accordance with recommendation of Treasurer/Tax Collector. Three bids have been received by Mr. McCormack, the average one being $3,000. The bid from Nat'l. Unlimited Bus. Systems Inc. waas for $5,200.

Appr. transfer of ownership and set up hear. Atlantic Richfield-gas. inc.

On a motion by Mr. Murphy seconded by Mr. Lannan, it was unan. voted to approve transfer of ownership from Anna E. & Agnes Cummings to Atlantic Richfield Co. re: gasoline storage at 184 Princeton St. (This transfer occurred Mar. 28, 1969 and the Selectmen's Office was never notified of this transfer.) and set up a public hearing for increase in gasoline storage from 16,000 gallons to 22,000 gallons, all underground, for Atlantic Richfield Co. This request was from John Parsons Craftsmen Construction Corporation representing Atlantic Richfield Co. (15.)

On a motion by Mr. Murphy seconded by Mr. Hart, it was unan. voted to adopt the Chairman's recommendations on letters 16 through 20.

Hghy. Supt. Recycling Rpt.

16. Hghy. Supt.'s report of newspaper pickup for the Recycling Program week of June 4-8, 1973. No. Tons 37.0225, Amount $296.18, Wages $885.60, Amt. Saved on Inc. Fees, $222.14, Net Cost to Town, $367.28.

EAC-Recycl. Rpt.

17. Recycling Committee -EAC - Paper pickup for the week of June 4-8, 1973. 37+ tons, money in town treasury, $296.18, Inc. Fees saved, $222.14, 629 trees saved. Also, a statement was made this week by the Convention of Mayors that recycling was absolutely necessary.

Award Bid Proctor Rd.

18. Vote to award bid for the surveying and layout of Proctor Road to Emmons, Fleming & Bienvenu, Inc., low bidder, $1,000. Request Hghy. Supt. to contact this firm and ask that they commence work at the earliest possible date.

1973 truck

19. Receipt of one 1973 Dump Truck which meets all specs. required by Hghy. Dept. Forward invoice to Town Accountant.

Hghy. Dept. vacancies

20. Regarding a comm. from the Hghy. Supt. re: two permanent vacancies in the Hghy. Dept. due to terminations, Mr. Murphy asked that these vacancies be advertised. Mr. Murphy moved that the Hghy. Supt. be directed to fill the position with an EEA employee. If an EEA employee is not available, then he should proceed to advertise to fill this vacancy. Mr. Lannan seconded this motion. The motion passed unan. Mr. Rondeau informed the Selectmen that one of these positions has been filled by an employee who had been working on a temp. basis on the dept.'s waste collection division.

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to adopt the Chairman's recommendations on letters 21, 23 and 24.

Set up meeting - Tree Warden

21. Instruct Adm. Asst. to schedule meeting with Tree Warden regarding existing tree problems and also the feasibility of a town owned and operated aerial equipment. To date, the Tree Warden has 31 job orders, most of which demand immediate attention because of hazardous conditions.

Approve Block Party Gristone Rd.

23. Vote to approve request of Mrs. R. K. Mankery to block off Gristone Rd., Sunday, Aug. 12, 1973 from 1:00 P.M. to the evening for a block party. Also, inform Police and Fire Depts. of this approval.

SHARE comm.

24. Proposal from Exec. Director, SHARE to negotiate with Chelms. to use the pool at the Training School. SHARE is also interested in the pool facilities but we do not have funds to allo-

cate for this purpose. In return for use of the pool at off hours, (when it is not being used by Chelms. residents), SHARE would provide pool security and maintenance, not including materials, but including skimming, scrubbing, mowing and cleanup. We would ensure to the Town of Chelms. that we would not hold either party liable in the event of a mishap, accident or death. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to communicate back to Mr. Auld, Exec. Dir. of SHARE and inform him that the Bd. of Selectmen haven't reached a point where they are in a position to negotiate for the use of the pool and suggest that he might make an offer to the County Commissioners at this time.

SHARE (cont'd.)

22. Letter from Donald Narankevicius, Adm. Asst., Westford Bd. of Selectmen stating that the Westford Bd. of Selectmen unan. voted to permit Chelms. to do improvements to Gage Lane at Chelms.'s expense with the provision that the work be co-ordinated with the Westford Bd. and the Town Forest Committee. On a motion by Mr. Hart, seconded by Mr. Murphy, it was voted four in favor, Mr. Hart, Mr. Murphy, Mr. Lannan, Mr. Lovering, one opposed, Mr. Markham, to refer this matter back to the Westford Board for appropriate action, as Gage Lane is within the boundaries of Westford. Mr. Lovering stated that the residentshave the right to petition to have the road repaired at a Town Meeting. He did not feel that this should be initiated by the Chelms. Bd. of Selectmen. Mr. Markham stated that he felt an article should be included in the next Sp. or Annual Town Meeting and the townspeople could decide whether they would repair this road.

Vote - re: Gage Lane

25. The Board asked that Mrs. Haines be present at the meeting to be held at the training school on June 27, 1973 at 1:00 P.M. to discuss Chelms.'s interest in the use of the T.S. property.

Meeting - re: M.C.T.S. property

Items 26, 27, 28 and 29 were discussed earlier in the meeting with James Geary, Esquire, regarding the application of Aetna Cartage Co.

29. On a motion by Mr. Murphy seconded by Mr. Lannan, it was unan. voted to communicate with Princeton Auto Sales to see if they are still requesting an increase in their Class II Auto Dealer's License from 15 to 30 cars as Mr. Eugene Lohnes is now deceased, and if so, set up a meeting.

Vote to set up meeting Princeton Auto

On a motion by Mr. Murphy seconded by Mr. Hart, it was unan. voted to adopt the Chairman's recommendations on items 30 and 31.

30. Vote to set up meeting with Landry's Sunoco, 371 Acton Rd. & Pond St., So. Chelms. re: request for Used Car License for ten cars.

Vote to set up meeting Landry's Sunoco

31. Forward request from Joseph Schmidt, 14 Steadman St., regarding sign in front of his home presenting a hazard, to Police Dept. for their investigation and recommendation. Also, inform Mr. Schmidt of the Board's action.

On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to accept the Chairman's recommendations on items 32, 34 and 35.

32. Vote to set up meeting with Henry Becker for an application for a Common Victualer License to be exercixed at Ice Cream Stand, 55 Graniteville Rd.

Vote to set up meeting-CVL-Becker

34. Instruct Adm. Asst. to schedule meeting with Mr. McCarthy, Dir. of Planning to discuss mutual aid compact in the near future. Police Chief recommends Mr. McCarthy appearing before the Bd.

Set up meeting Mutual Aid Compact

35. Response from Office of the Secretary of The Treasury, Sen. Kennedy, Sen. Brooke regarding distribution of Rev. Sharing Funds to Chelms. (Same response from all three). A municipality receives its allocation from the amt. of money allocated to its county area on the basis of how its population, tax effort, and relative income compare with these same factors for every municipality in their county area. Variations in the factors involved could account for a disparity in funds allocation for communities of similar population. A lower relative tax structure of a relatively high income level result in a lower allocation to a local government.

R.S. Distribution

36. Mr. Lovering stated that he was concerned about the delegation of the licensing authority re: communication from David Liederman, Director, Office of Children, whereas the new delegation to license operators of day care centers must go to the city or town under Sect. 12 of Chap. 28A of the Gen. Laws, in stead of the local Bd. of Health. (In Sept., 1973, the Office for Children signed an agreement with the Bd. of Health whereby Chelm. would continue to license the operators.) On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted that the Bd. of Selectmen maintain the responsibility of the day care operator licensing and see what type of activity occurs within the licensing operation.

Licensing of Day Care Operators

37. Opinion from Town Counsel re: Robert K. Boatman vs. Gerald Lannan et al. On a motion by Mr. Lovering seconded by Mr. Lannan, it was unan. voted to rescind the previous vote of Bd. of Selectmen so far as it applies to the female dog and notify Mr. McCarthy, Town Counsel, of the Board's action.

Vote to rescind previous vote-Boatman female dog

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to approve Items 1,2 and 3 of the Addemdum to the Summary of June 25, 1973.

1. Vote to renew Beano License for the Knights of Columbus.
2. Vote to approve request of Norman Morais, Pres., Castlewood Association to block off Castlewood Dr. between Charlemont Ct. during the hours of 3:00 P.M. to 11:00 P.M., Sat., June 30, 1973, for a block party. Also, notify Police and Fire Dept. of the request.
3. Vote to approve request of Karen Bingley,12 Bonanza Rd., to block off said road from 7:00 P.M. to 12:00 midnight, June 30, 1973, for a neighborhood party.

Renew Beano Lic.-KofC

Castlewood Block Party

Bonanza Rd. Block party

On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to approvethe ambulance contract for the Town of Chelms. Town Counsel has reviewed the contract and made certain recommendations.

Approve Ambulance Contract

On a motion by Mr. Lovering seconded by Mr. Hart, it was unan. voted to appoint Mr. Michael Anderson, who is currently an Asst. Director of the Youth Center, on an acting basis until such time as a permanent appointment is made. Mr. Lannan asked that Mr. Clark recruit a person for the Youth Center Coordinator. The Board agreed to advertise for this vacancy.

Appointments

Appointments

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to appoint Marion E. McCready as Recording Clerk for the Bd. of Selectmen on an interim basis. Mr. Lannan stated that the Bd. should have a job description written up for a Recording Clerk including a dollar value and submit this job description to the Personnel Bd. and Finance Committee. The Board agreed.

On a motion by Mr. Murphy, it was unan. voted to appoint Edgar George, Edward Krasnecki, Samuel Parks and William Fitzpatrick as the Bd. of Selectmen's reps., Arnaud Blackadar, Town Accountant and Marvin Schenk, representing the Finance Committee to the Capital Planning and Budgeting Committee.

On a motion by Mr. Murphy, it was unan. voted to appoint Donald Butler, Paul Royte, Thomas Morris, Eugene Bernstein, J. Halldor Helgason, Mrs. John Abbott, Jack Schnorr and Thomas Doyle to the Drug Abuse Committee.

Mr. Murphy moved for the appointment of Richard Sullivan, A. Robert Raab and Louis Rondeau, and Mr. Lovering moved for the appointment of Kazar Hedison for the Highway/Sidewalk Study Committee. The Bd. voted unan. for these appointments. There are 3 openings on this committee.

On a motion by Mr. Lannan, it was unan. voted to appoint Frederic Burne, Charlotte DeWolf, Julia Fogg, Charles Watt, Sr., and Robert Spaulding and designate Mrs. DeWolf as Chairman Pro Tem, to the Committee To Update the Town History.

On a motion by Mr. Murphy, it was unan. voted to appoint George Baxendale as the Veteran's Grave Officer.

On a motion by Mr. Murphy, it was unan. voted to appoint Jack Schnorr to the Town Forest Committee.

On a motion by Mr. Murphy, it was unan. voted to appoint Thomas Morris as the Alternate Representative to SHARE.

The Board agreed to ask Mrs. Haines to contact Mr. Blackadar and see who the members are on the Town Hall Site Committee.

On a motion by Mr. Murphy, it was unan. voted to adopt the recommendation of Alfred Coburn as Chairman Protem of the Veteran's Emergency Committee and appoint the present members of that committee and also appoint Herbert Knutson as the rep. from Precinct 11. **

Vote to continue meet.

On a motion by Mr. Lannan, seconded by Mr. Murphy it was unan. voted to continue the meeting as the hour of 11:00 P.M. has arrived.

Chelmsford/Westford Town Line

Chelmsford-Westford Town Line - Communications from the Office of the Middlesex County Comm., Rep. Bruce Freeman, Sen. MacKenzie and Clement McCarthy, Esquire, Town Counsel. Mr. Markham informed the Bd. that he had talked with Mr. Snelling of the County Eng. Office. Mr. Snelling made some suggestions regarding the Town Line. Mr. Murphy stated that he had talked to the Adm. Asst. to the Westford Bd. of Selectmen on June 5th and he indicated that the joint letter by both Bds. of Selectmen had been forwarded to Sen. Tully and Rep. Perrault. No article on the town line had

Chelms/West. Town Line (cont'd)

presented at the recent Westford Town Meeting because of the lack of time to prepare the article. Mr. Murphy stated that in his opinion to establish the town line at the existing boundary markers requires a change in the boundary. This requires concurrence at Chelms. and Westford town meetings and an Action of the State Legislature. He believed that the Legislature will not deal with a small portion of line but will require that the whole job be done at once. In view of these considerations, Mr. Murphy moved (1) That, being the older community, we notify the Westford Bd. of Selectmen of our intention to perambulate the Chelms/Westford Town Line and direct that we meet on Sat., July 21, 1973, at 10:00 A.M. at the Chelms./Westford town line on Dunstable Rd., No. Chelms. (2) That we direct the Town Counsel to prepare the necessary article (s) for Town Meeting concurrence of the town line change at a Special Town Meeting to be held in Sept. of this year. (3) That we request Middlesex County, at the earliest possible date, survey the existing boundary markers or make the necessary calculations to establish a legal definition of the Chelms./Westford Town Line for inclusion in a Bill to be presented to the 1974 session of the State Legislature. Mr. Hart seconded these motions. The motions passed unan. Mr. Lovering stated that one of the concerns that he has regarding the Chelms.-Westford Town Line is that time is going to require addt'l. action, addt'l. meetings, etc. and that the residents in the area are not going to get the problem resolved as quickly as they initially thought they would. This is going to pose a very serious problem when it comes to the issues of tax monies, schools. The Mass. Selectmen's Assoc. encourages Bds. of Selectmen to consider very aggressive use of Home Rule thinking and I wonder, as a thought, whether or not, seeing that the Westford Bd. and this Board has in fact, apparently agreed on a resolution, yet due to procedural and time problems, we are forcing an injustice and inconvenience on the residents, both of Chelms. and Westford. I wonder whether it might be a very appropriate consideration to have a negotiated agreement by the Westford Bd. of Selectmen and the Chelms. Bd. of Selectmen to infact maintain the line, as before, for all purposes, such as, tax monies, schools, etc. until we have ample procedural opportunity to correct it through the Legislature. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to request Town Counsel to examine this issue to determine whether it is an appropriate subject for Home Rule, a negotiated agreement, and if so, to prepare a draft agreement for the Boards so that we could negotiate with the Westford Board and hopefully put the people involved to rest.

Request Mr. Zaroulis to be present re: East Gate matter

Mr. Lovering asked that a hold be placed on discussing a communication from James T. Curtis, Esquire re: East Gate Plaza. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to forward a copy of this communication to Mr. Zaroulis and ask that he be present at the next meeting of the Bd. to discuss the East Gate matter with the Bd.

Hghy. Supt. St. Accept. ??

Mrs. Haines is still waiting for a comm. from the Hghy. Supt. re: Street Acceptances. Mr. Murphy stated that the Board had voted on May 2nd, 1973, that the Hghy. Supt. be directed not to approve any streets for the purpose of releasing the bond money until he has filed a written report with the Bd. of Selectmen of his inspection and has received their written approval to release this bond money to the contractors. He should have followed that guideline when the Plan. Bd. met on June 6, 1973. I would like to know about that? The Board agreed to communicate with the Highway Supt.

Veterans' Agent

Mr. Markham stated that the Bd. of Selectmen has received the resignation of Joseph Dowd as Acting Veteran's Agent for the Town. Also, a communication was received from the Commissioner of Veteran's Agents, Charles Collatos stated that they did not approve the Bd.'s request for an extension of Mr. Dowd's appointment. Mr. Markham suggested that the Bd. contact the surrounding towns to see if they are interested in joining a Veterans' Service District and also communicate with the State to see if they will have someone in the Veterans' Agent's Office Monday and Thursday Evenings to serve the residents of Chelms. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to solicit from the surrounding communities their interest in joining a Veterans' Service District, (first) ask the State to assign someone to be in the Chelms. Veterans' Agent's Office, and also ask Town Counsel for an opinion if we decide to have someone perform the Veterans' Agent's position as an additional position.

Summer St. By-Pass

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unan. voted to request the present Highway Supt. to provide an estimate of cost to fabricate and install the signs for the Summer Street By-Pass and also communicate with the State to see if they will still service the trail blazer and provide the necessary recording devices. This matter can be discussed at the next meeting of the Board.

Discussion re: Dog Officer

Mr. Murphy presented information to the Board regarding the Dog Officer - Budget, $2,014, funds remaining for Asst. Dog Officer. These funds would allow 15.5 hrs. per wk. for an Asst. Dog Officer. Between the Dog Officer (40 hrs.) and the Asst. Dog Officer (15.5 hrs.) there would be 55.5 hrs. of service per week. There remains 28.5 hrs. per week where there are no funds for a Dog Officer. Mr. Murphy asked if Mr. Clark could fill the position on another Asst. Dog Officer through the EEA Summer Youth Program. Mr. Lannan stated that he would contact Mr. Clark to see if this would be possible. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to advertise immediately for an Assistant Dog Officer for approximately 15 hours per week. On a motion by Mr. Lannan seconded by Mr. Lovering, it was unan. voted Mr. Murphy, Mr. Siedel and Mr. Wojtas, Dog Officer interview the candidates for Asst. Dog Officer, and report their findings back to the Board. Mr. Murphy asked that the Dog Officer plan his schedule in accordance with trash collections in the Town. On a motion by Mr. Murphy seconded by Mr. Lannan, it was unan. voted to solicit bids for a two-way radio for use by the Dog Officer. Mr. Murphy asked that Mr. Olson provide a status report on the vehicle for use by the asst. dog officer. Mr. Murphy asked that the Kennel Committee explore the fact of a compromise between the reaction system (call the Dog Officer and he comes) and patrol of the different sections of the Town, and also communicate with the Police Chief regarding the Dog Officer's telephone number listed as the Police Station number.

Hearing Procedures Adopted

On a motion by Mr. Murphy seconded by Mr. Hart, it was unan. voted to adopt the hearing procedures as amended. Mr. Markham asked that the motion include that the hearing procedures be posted prior to the start of the hearing. It was so voted.

New Business

On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to grant permission to the Cons. Comm. to contact Town Counsel to initiate a title search on Articles 27 and 28 per-

taining to parcels of land that the Cons. Comm. is going to have possession of.

New Business

Mr. Markham stated that the Hghy. Supt. reported that there are problems regarding poles which have to be relocated on Graniteville Rd. and Twiss Rd. in order to proceed to relocate these roads. The Board agreed to communicate with Mass. Elect. and N.E. Tel. to have 3 poles relocated on Twiss Rd. and 1 pole relocated on Graniteville Rd, at the earliest possible date.

Mr. Markham asked that communications be initiated regarding Central Square. He suggested that the Bd. comm. with the N.M. A.C. and see if they can provide any assistance or they have any suggestions regarding a traffic consulting firm, communicate with Mr. Campbell, Dept. of Public Works, re: reputable firms, communicate with the State Rep. and State Sen. to see if they can provide any information regarding State assistance, communicate with Congressman Cronin re: Federal assistance. Mr. Murphy stated that he was opposed to any more communications. He would like to meet and get an answer. Communications go on from month to month with no answers. The time of letter communication has long since past regarding Central Square.

Mr. Murphy stated that he would like to bring up for discussion at the next meeting the following items: Central Square, Topics Report, and discussion with Topics people in the State House and He provided reports for the Board members to review. Gas station on Old Westford Road. Mr. Lovering stated that the Board should not wait until the next meeting re: Hick's gasoline station. Mr. Lovering stated that he has reviewed the situation and that we should ask the Bldg. Insp. to visit the area and determine what exists. We have a very serious alleged violation of a non-conforming use and we should ask the Bldg. Insp. to take immediate action. Mr. Murphy's report stated: Mass. Gen. Law Chap. 40A, Sect. 5, The Zoning Enabling Act, protects existing structures/buildings and their use when a zoning ordinance or bylaw is enacted or amended. However, a change of use of a building is subject to these enacted bylaws. A recent change of use has developed at the gasoline station at the intersection of School St. and Old Westford Rd. commonly known as "Hick's Gas Station". Milk, cream, soup, juice, napkins and the like are now being offered for sale. This week, a sign "DAVE"S GULF AND VARIETY" was erected. Retail sales is a prohibited use in an RB Zone. On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to instruct the Bldg. Insp. to visit the establishment and determine if any violations of the zoning regulations exist and take immediate action.

Mr. Markham asked that at some time an opinion be obtained from Town Counsel regarding the ownership of non-conforming uses and can this ownership be transferred.

Mr. Hart moved that a communication be sent to Mr. Green, Mill Rd., regarding the problem and the reason why the water has been let out of Mill Pond. The water has been out of the pond for quite some time. The pond is full of mosquitoes and it is also a very dangerous place for children. Mr. Murphy seconded this motion. The motion passed unanimously.

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On a motion by Mr. Murphy seconded by Mr. Lovering, it was unan. voted to adjourn the meeting. The meeting was adjourned at 12:07 A.M.

Meeting Adjourned

For the Board of Selectmen,
by, Marion E. McCready

** The following were appointed to serve on the Veterans' Emergency Fund Committee: George Archer, Prec. 1; Victor Fetro, Prec. 2; James J. Walker, Prec. 3; John J. McNulty, Prec. 4; George F. Waite, Prec. 5; Alfred H. Coburn, Prec. 6; Thomas Ennis, Prec. 7; Kenneth Cooke, Prec. 8; Peter Saulis, Prec. 9; Donald House, Prec. 10; Herbert Knutson, Prec. 11 and Edward Baron, Prec. 12.

Hearing - Aetna Cartage Company (continued)

McFarlin Road, and James McKennedy, 62 Riverneck Rd. After the proponents and opponents were heard and the concluding statements were presented, Mr. Hart moved to deny the request. Mr. Markham stepped down from the Chair to second Mr. Hart's motion. Mr. Hart stated that he could not support granting this license as the people in the McFarlin Rd. area have had difficulties living in that area. They have had water problems which does not come under the control of the Bd. of Selectmen. The Bd. of Selectmen does not control the issuing of this license and Mr. Hart stated that he could assist the people in that area by denying this request. Their property valuation will be reduced even more than it has with the water situation, if this license is granted. Mr. Lannan stated that if someone would guarantee him that the terminal would not be there if the permit was denied, then he would vote to deny it. The only way we can control the actions of the Aetna Cartage Co. and what goes on there, is by issuing a permit and the restrictions that we put on the permit and we can put restrictions on a permit. The terminal is going to be there, whether the gasoline storage is there, the trucks are still going to be there, the traffice and noise are still going to be there. The only control we will have is with this permit at this point. It is too bad that we didn't have the control 5, 6, or 10 years ago when the Master Plan was drawn up and that was determined to be an IA District. Motion to deny failed three opposed, Mr. Lovering, Mr. Murphy, Mr. Lannan, two in favor, Mr. Markham, Mr. Hart. On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to take this application under advisement until the next meeting. Mr. Lannan stated that if the following conditions would be met or guaranteed by Aetna Cartage Co., he would consider voting in favor of this license: 1. Any lights to be installed on the premises would be shielded with a buffer zone and there would be no reflection of the lights into the surrounding properties. 2. There would be a buffer zone between the fueling facility and the property line sufficient to obstruct all view of the facility from the surrounding property. 3. The Highway Supt. and the Town Engineer would be instructed to look into the drainage flow that goes through Riverneck Road to see if it would be injurious to the area. 4. Request the Bld. Insp. to go to the area to determine if tree stumps have been left there, probe to find these stumps and have them removed. There is a Town By-Law that things cannot be buried and covered up. It is the responsibility of the new owner of the property to remove them. 5. The fueling facility be non-operative be-11:00 P.M. and 6:00 A.M. in the morining. The Board agreed to present a formal motion with the conditions required at the next regular meeting of the Board of Selectmen. They agreed to supply these conditions to the applicant to see if the applicant would volunteer to comply with them. Mr. Lovering stated that the truck terminal is going to be there. When the application was presented to the Planning Board, the Planning Board should have taken the necessary steps to protect the environment of that area as best they could. Here, we have debated for some time now, the possibility of this Board doing something that in reality is not related to the issue of gasoline storage and the safety and the installation thereof. It is a separate distinct matter. We attempt to tie it in as best we can to protect the community of Chelmsford but it is not the way it should be done. So, I publicly chastise the Planning Board for not considering that possibility in the past. Unfortunately, I think the best protection we can give the neighbors is to attempt to come up with a set of conditions that would protect you as best possible and that is what I shall try to do when we take the subject under advisement. By taking this under advisement, we can determine if there is anything further that we can do to help the area. Mr. Lannan stated that if Aetna Cartage does not meet the conditions placed on the license, he would vote against the license.

Public Hearing - Application for Increase in gas storage by Jos. Fitzpatrick for Atlantic Richfield Company, 184 Princeton Street. Increase of gasoline storage from 16,000 gallons to 22,000 gallons, 6,000 gallon increase. (Underground).

Hearing Atlantic-Richfield gas. increase approved.

Mr. Fitzpatrick stated that the additional storage was needed to conform with the Federal regulations of the Environmental Protection Agency. Nine abutters were notified. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to grant the increase in gasoline storage from 16,000 gallons to 22,000 gallons.

Open bids for Recreation Com.

The following bids were opened and read and turned over to the Recreation Commission for installation of a chain link fence at the Robert's Property: Ray's Fence Company, Inc., 145 Broadway Rd., Dracut - $1,752.00, Merrimack Valley Fence Company, Inc., 140 Powell Street, Lowell - $1,586.40, Soucy Wire and Iron Works - $1,638.00, Glenview Fence Company - $1,716.00.

Recreation Com. Vandalism at Robert's property.

The Selectmen met with Paul Murphy, Al Woods and Edward Quinn of the Recreation Commission to discuss the limits of the town's authority in policing the Robert's property. Mr. Murphy informed the Selectmen that there has been damage to the fence and the scoreboards have been marked up with paint. They stated that they were reluctant to proceed because of the vandalism problem. They requested more Police surveillance and the cooperation of the Fire Department to call the Police and report when they see activity in the area. On a motion by Mr. Lannan seconded by Mr. Murphy, it was unanimously voted to instruct the Police Department through the Police Chief to pursue the vandals and pick up the perpetrators and prosecute them. When it costs the parents money, then the vandalism will stop. The Board also agreed to request the Police Chief to meet with them at their meeting, July 30, 1973, to discuss the vandalism problem at the Robert's Property to establish rules to be presented to the Selectmen. These rules would be posted and the Police Department would be asked to strictly enforce these rules. Mr. Lovering requested that the Police Chief to present a plan to the Board consisting of ideas, times of enforcement and an overall plan of how he intends to stop the vandalism. The Recreation Comm. asked that the Selectmen check with Town Counsel regarding the Rec. Comm. establishing rules. The Selectmen agreed to communicate with the Park Commissioners informing them that the Recreation Comm. would be in touch with them regarding maintenance of the Rec. Comm. sites. The Selectmen would ask the Park Commissioners to cooperate with the Rec. Comm. by increasing their budget and personnel to maintain these sites. This increase would be included for the next Town Meeting. The Rec. Comm. also requested further use of the Town grader. The Board agreed to communicate with the Highway Supt. and inform him that Al Woods would be in touch with him to use the grader as soon as possible.

Proceed with Agenda.

On a motion by Mr. Lannan seconded by Mr. Murphy, it was unanimously voted to waive the meeting rules and proceed with the Agenda.

Hold on adopting minutes.

The Board agreed to hold on adopting minutes of meetings held 5/8/73, 5/21/73, 6/11/73 and 6/25/73. Mr. Murphy asked that the minutes of meeting held 5/2/73 be included in the minutes to be adopted.

Report Chelms/Westford Town Line.

Mr. Markham reported on a meeting with the County Commissioner on June 27, 1973 to discuss the Chelmsford/Westford Town Line. This Board submitted a letter to the County Commissioner requesting that they consider having their engineering department survey the entire line from Tyngsboro to Carlisle. To date, we have not received a communication back from them. The County Commissioner stated that they would reply as soon as possible. A communication was received from the Westford Board of Selectmen stating that they could not meet July 21, 1973, regarding the Chelmsford/Westford Town Line, but they have appointed Mr. John Gagnon and Mr. Daniel Provost to represent them at this meeting. Mark Mulligan, Chariman of the Westford Board of Selectmen informed Mr. Markham and Mr. Hart that he would attend the meeting of the Chelmsford Board on July 30, 1973, to specifically discuss the issue of mosquito control.

Report Use of M.C.T.S. complex by Town

Mr. Lovering reported on the use of the training school by the Town of Chelmsford. He informed the Board that the Selectmen met with the County Commissioner, indicated to them that Chelmsford was prepared to submit a proposal, the fact that we had sufficient community support to do so. However, we felt that the key question we needed an answer to was a very basic question as to whether or not if we submitted a proposal for the use of the entire complex, would they consider it? The reason for asking this question is we think it would be much more difficult to get any interest in Chelmsford on just one building. With a proposal for the total complex, we could get some very good interest in the Town of Chelmsford. We feel that answer is very important. That letter has been sent confirming that question and to date, we have not received a reply. Mr. Lovering suggested that the Board wait until a letter is received from the County Commissioner in response to that question and then the Board can debate additional action pending upon the response to that question and then the Board can debate additional action pending upon the response from the County Commissioner Mr. Lovering assumed that the Board would receive a response by the next meeting of the Board.

Report Use of M.C.T.S. Swimming Pool

Mr. Murphy reported on the use of the swimming pool at the M.C.T.S. facility. He contacted the Recreation Commission Chairman and they indicated that it was too late in the season to have a regular swimming program. They would certainly consider the use of the facility in the next budget year.

Special Town Meeting - Oct. 1, 1973

On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to establish the cutoff date for submission of articles for the Special Town Meeting as August 31, 1973, and establish October 1, 1973, as the date for the Special Town Meeting. The Board agreed to request that articles be submitted in duplicate.

C.V.L.

Mr. Markham asked that the Board consider establishing a policy for restricting hours for operation for Common Victualer License holders at a future meeting. He felt some consistency regarding closing hours for similar type establishments should be established.

Prepare Specs. and advertise for bids - Town Hall Wiring

On a motion by Mr. Lannan seconded by Mr. Murphy, it was unanimously voted to instruct the Purchasing Agent in conjunction with the Wiring Inspector to develop specifications and advertize for bids to correct the electrical problems in the Center Town Hall.

Fay, Spofford Thorndike Rpt. Adams Library

Mr. Markham asked that a copy of the Fay, Spofford & Thorndike report be placed on file in the Adams Library. The Board agreed to include in the bid specifications that cations that a copy of the FS&T report would be available in the Adams Library where prospective bidders could review it.

Standard Procedure re: Stree Openings

Mr. Markham informed the Board that the office has received complaints regarding street openings at the intersection of Davis Road and Locke Road and Dalton Road and Steadman Street. He felt that all the utility companies should be subject to same requirments. Mr. Lannan presented the members of the Board with the Proposed procedures regarding street openings to be reviewed by the Board. He submitted these procedures to be a By-Law accepted by the Town. Mr. Markham asked that a report be obtained from the Highway Superintendent on what has been the practice to date.

No. Chelms. Water District tie-in - Tyngsboro Road

Mr. Markham reported to the Board that the second connection was not made by the North Chelmsford Water District as requested by the Fire Department and the Board of Selectmen. Mr. Marhkam stated that he had talked with two of the Water Commissioners and they stated that this second tie-in would be made along Tyngsboro

Road. On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to send a letter to the No. Chelms. Water District asking the reason why the tie-in has not been made especially concerning the generosity of the Townspeople of Chelmsford's vote at Town Meeting.

Cushing Place

Mr. Murphy reported that we were recently notified by the Building Inspector that, at no cost to the town, two buildings were razed because of unsafe conditions on Cushing Place. He recently visited the site and was shocked to find that both foundations are open and no barriers are up to protect against a fall. He suggested that the job is far from complete and one unsafe condition has been substituted for another. On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to direct the Building Inspector to have the job completed properly: erection of temporary barriers to protect the people and see that the foundations are filled in.

Labor Relations Advisor

Mr. Murphy informed the Board that the 1973 Town Meeting authorized funding for a Labor Relations Advisor to assist the Board of Selectmen in negotiating contracts with town employees. On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to (a) Solicit resumes of qualified professional negotiators from the Mass. Selectmen's Association and the Mass. Association of School Committees. (b) Advertise in one or more appropriate trade journals. (c) Establish a subcommittee to screen the resumes and recommend to the entire board which candidates to invite in for an interview. (d) Tentatively schedule interviews for early October.

TOPICS Program

Mr. Murphy presented information regarding the TOPICS Program to the Board. On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to meet with the Mass. Department of Public Works, TOPICS Program in Boston as soon as possible to discuss ways of implementing temporary or partial solutions tothe Central Square problem in the immediate future, changes to the TOPICS report, if appropriate, and also receive status information on the progress of surveying and negotiations for side issues.

Hick's Gas Station

Mr. Murphy stated that no response has been received from the Building Inspector regarding zoning violations at the Hick's Gas Station on Old Westford Road and he asked that the Building Inspector make this a top priority item and inform the Board by the next Selectmen's meeting. The Board was informed that Mr. McHugh was incapacitated. Mr. Lovering moved that the Chairman make an observation of the property and then notify Town Counsel that the Board would like to take action. Mr. Lannan seconded this motion. Mr. Murphy stated that inasmuch as he would like to see the non-conforming uses cease, this motion is well beyond the rights of this Board and he could not support the motion. On a motion by Mr. Lovering seconded by Mr. Hart, it was voted four in favor, Mr. Lovering, Mr. Markham, Mr. Hart and Mr. Lannan, one opposed, Mr. Murphy, to authorize the Chairman to call the Building Inspector tomorrow morning to determine if he is capable of making a visit to the property in question for the purpose of determining whether or not there is a zoning violation. If he is not capable of doing that, then the Board authorize the Chairman to proceed to the property, view the property and then make appropriate contact with Town Counsel to take action if required. Mr. Murphy stated that he was not opposed to the principle.

Dog Officer

On a motion by Mr. Murphy seconded by Mr. Lovering, it was unanimously voted that the Board direct the installation of the proper telephone for the Dog Officer so that the number will appear in the new telephone directory. The Board agreed to wait until the end of July, 1973, to interview the applicants for Assistant Dog Officer. Two applications have been received to date.

The Board agreed to correspond with the Highway Superintendent again regarding not approving streets for release of bond money. The Board asked if the Highway Superintendent had recommended the release of the bond money for Planning Board Meeting held June 6, 1973.

Summary - On a motion by Mr. Hart, seconded by Mr. Murphy, it was unanimously voted to accept the Chairman's recommendations on Items 1 through

On a motion by Mr. Hart, seconded by Mr. Lannan, it was unanimously voted to accept the Chairman's recommendations.* Also, add Rep. Freeman and Rep. Shea to Item 9.* on Items 7, 8, and 9.

On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to adopt the Chairman's recommendations and also communicate with the Planning Board and have them ask their recommendations in his persual of the definitions determine "Outdoor Amusement" and ask specifically if carnivals should be included or excluded on Items 10 and 11.

In regard to Item 12, Mr. Lovering stated that this Board communicated with the Planning Board on April 17, 1973, asking them to furnish the Board with the document that they would use as the guideline for submitting bids for the updating of the Master Plan. We requested this information so that we could have the opportunity to review the scope of work that they planned on using for the bidding process. Mr. Lovering pointed out that what we have been asked to review is not a scope of work for the bidding process, but, in fact, a contract prepared which contemplates a Mr. Melia as the Town consultant. He is the same gentleman that has been discussed by the Planning Board from Day One and I would have some concern, no reflection on Mr. Melia, that the Planning Board has, in fact, obtained or proposed to obtain the services of a consultant with some $10,000 of the taxpayers money and I wonder whether or not any additional consultants were considered. I wonder whether or not Melia has had equivalent experience in other communities, etc. I certainly do not want to interfere with the duties of the Planning Board, but I would like to note that we were not furnished with the document that we requested, but, in fact, an Agreement which is obviously due to be executed imminently. Mr. Lovering stated that he would pursue personally whether or not the bidding process was utilized and if it was not, why? Mr. Murphy asked that the Board communicate with the Planning Board to see if the contract with the consultant included the updating of the zoning map and the street map, and if it does, when do they contemplate publishing same?

On a motion by Mr. Lovering seconded by Mr. Hart, it was unanimously voted to adopt the Chairman's recommendations on Items 13, 14, and 15.

Item 16 - discussed earlier in the meeting, no action required. On a motion by Mr. Hart seconded by Mr. Lovering, it was unanimously voted to accept the Chairman's recommendations on Items 16, 17 and 18.

Item 19 - Veteran's Agent - discussion. On a motion by Mr. Hart seconded by Mr. Murphy, it was voted four in favor, Mr. Markham, Mr. Lovering, Mr. Murphy, Mr. Hart, one opposed, Mr. Lannan, to appoint Mary McAuliffe as Interim Veterans' Agent until a permanent appointement is made. Mr. Lannan felt that a Veteran should be appointed. Also, he stated that the Chairman should appoint one of the Veteran members of the Board of Selectmen to act as the Veterans' Agent until such time as a permanent appointment is made. Also, notify the State of the appointment of Mrs. McAuliffe.

On a motion by Mr. Lovering seconded by Mr. Murphy, it was voted four in favor, Mr. Markham, Mr. Lovering, Mr. Murphy, Mr. Hart, one opposed, Mr. Lannan, to adopt the Chairman's recommendations on Items 19 (as amended), 20, 21, 22, and 23.

Item 24 - On a motion by Mr. Murphy seconded by Mr. Hart, it was voted four in favor, Mr. Markham, Mr. Murphy, Mr. Hart and Mr. Lannan, one opposed, Mr. Lovering, to direct the correspondence from Daniel C. Boyer, 8 Barry Drive, to the Planning Board.

On a motion by Mr. Hart seconded by Mr. Lovering, it was unanimously voted to accept the Chairman's recommendations on Items 25 and 26.
Item 27 - Mr. Hart agreed with the first part of the recommendations re: accepting resignation of Carol J. DiCiero. Mr. Hart moved the appointment of Mr. John Kelly, Alternate Member, to fill the vacancy on the Board of Appeals. Mr. Lannan moved the nomination of Mr. Marshall Arkin, Alternate Member. A vote was taken of the Board. Mr. Lovering, Mr. Murphy, Mr. Hart and Mr. Markham voted in favor of Mr. Kelly. Mr. Lannan voted in favor of Mr. Arkin. On a motion by Mr. Lannan seconded by Mr. Hart, it was unanimously voted to appoint John Kelly to fill the vacancy for as a regular member of the Board of Appeals. There is a vacancy for an Alternate Member to the Board of Appeals.

Mr. Markham appointed a sub-committee of Mr. Murphy and Mr. Markham re: Central Square - what should be included in the work statement for the purposes of obtaining a Traffic Consultant and report back to the entire Board with their recommendations.

Mr. Markham appointed a sub-committee of Mr. Murphy and Mr. Hart to do advance planning for the Annual Town Meeting.

Mr. Markham appointed Mr. Lovering and Mr. Lannan to a sub-committee re: an Engineering Department Study. Also, he requested that the Board communicate with the Capital Planning Committee for a representative to this sub-committee. The FinanceCommittee indicated that they are not desirous of serving on any particular committee due to other commitments.

Mr. Markham asked that the Board appoint a citizen's committee to formulate a Trail Bike/Snowmobile By-law, these appointments to be made October 1, 1973 with representatives from both sides of the issue. Mr. Markham stated that he would be a liason with this committee.

Appointments

On a motion by Mr. Murphy seconded by Mr. Hart, it was unanimously voted to appoint Mary McAuliffe as Town Aide - Council on Aging.

A hold was placed on appointments to the Crystal Lake Committee.

On a motion by Mr. Murphy seconded by Mr. Hart, it was voted four in favor, Mr. Markham, Mr. Murphy, Mr. Hart, and Mr. Lannan, one opposed to nominate William Fitzpatrick as Chairman ProTem of the Capital Planning Committee. Mr. Lovering moved for the nomination of Edgar George.

The Board is going to perambulate the Chelmsford/Westford Town Line Saturday, July 21, 1973.

On a motion by Mr. Lovering seconded by Mr. Murphy, it was unanimously voted to adopt $3.00 per hour as the rate for the Acting Youth Center Coordinator.

Meeting Adjourne

On a motion by Mr. Lannan seconded by Mr. Hart, it was unanimously voted to adjourn the meeting. The meeting was adjourned at 1:10 A.M.

For the Board of Selectmen,
by; Marion E. McCready

Jurors drawn of July 24, 1973, by Thomas F. Markham, Jr.
1. Lester R. Parker, 29 Rainbow Avenue - Lowell District Court.
2. David P. Lane, Jr., 145 Warren Avenue - Cambridge Superior Court.
3. Robert J. Goyette, 9 East Sheppard Lane - Cambridge Superior Court.